





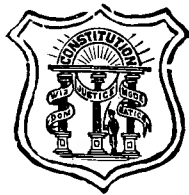






JOURNAL  
OF  
THE SENATE  
OF THE  
STATE OF GEORGIA,  
AT THE  
REGULAR SESSION  
OF THE  
GENERAL ASSEMBLY,

At Atlanta, Wednesday, October 22, 1902.



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# JOURNAL.

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Senate Chamber, Atlanta, Georgia.

Wednesday, October 22, 1902, 10 o'clock a.m.

The Senators-elect for the years 1902 and 1903 met at 10 o'clock a.m., on October 22, 1902, in the Senate Chamber, and were called to order by the Hon. C. S. Northen, Secretary of the last Senate.

The Secretary of State submitted to the Secretary the certified lists of Senators-elect. The following is the list:

Allen,	Howell,	Reid,
Atkinson,	Hudson,	Roberts,
Christie,	Jordan,	Rountree,
Clarke,	Lee,	Skelton,
Clements,	Ledford,	Snead,
Comas,	Lewis,	Stevens,
Crumley,	Mathews,	Sullivan,
Dodd,	McClure,	Sweat,
Davis,	McLean,	Symons,
Duncan of 10th,	McMichael,	Taylor,
Duncan of 36th,	Merritt,	Tisinger,
Golden,	Middlebrooks,	Turner,
Harrell,	Moore,	Van Buren,
Hightower,	Parke,	Worsham.
Hopkins,	Perry,	

The foregoing official list was called to ascertain the presence of a quorum. This having been done and a quorum being present, the blessings of God was invoked by the Rev. J. W. G. Watkins, at the request of the Secretary.

Senators-elect then presented themselves at the Secretary's desk and took the prescribed oath of office, the same being ad-

ministered by the Hon. Jno. S. Candler, Judge of the Stone Mountain Circuit. The Secretary then announced that the next business in order was the election of a President of the body.

Whereupon, Mr. Hopkins placed in nomination for that office, the Hon. Clarke Howell, of the county of Fulton. This nomination was seconded by several. There being no other nominations the call of the roll was proceeded with, Senators voting *viva voce*. On casting up the vote it appeared that Hon. Clarke Howell had received 42 votes, the entire vote cast.

The Hon. Clarke Howell, having received a majority of the whole number of Senators, was declared duly elected President of the Senate.

The Secretary appointed a committee of three to acquaint the President of his election, ask his acceptance and conduct him to the presidential chair.

The Secretary appointed Messrs. Hopkins, Davis and Sweat.

The Committee performed the duty imposed, and the President-elect being conducted to his chair, arose and addressed the Senate, and at the close of his address called the body to order. He then announced the election of a Secretary as the business next in order, and that nominations for that office would be received.

Whereupon, Mr. Atkinson, of the 26th district, placed in nomination the Hon. C. S. Northen, of the county of Fulton. This nomination was seconded by several.

It appeared, upon casting up the votes, the Hon. C. S. Northen had received 43 votes, the entire vote of the Senate.

The President declared that the Hon. C. S. Northen, hav-

ing received a majority of the entire Senate, was duly elected Secretary.

The President announced the election of a president pro tem. as the next business before the Senate, and that nominations were in order for that office.

Mr. Snead, of the 29th district, nominated the Hon. P. J. Sullivan, of the 18th district, and the nomination was seconded by several. There being no other nominations for this office, the call of the roll was proceeded with, resulting in the election of Hon. P. J. Sullivan, he having received 42 votes, the entire vote cast. The President declared him duly elected President pro tem.

The next business was the election of a Messenger.

Mr. Tisinger placed in nomination Flynn Hargett, and Mr. Sweat, of the 5th district, nominated D. P. Paulk. The roll was called and the vote was as follows:

The following voted for Mr. Flynn Hargett:

Allen,	Ledford,	Reid,
Christie,	Lewis,	Rountree,
Comas,	Mathews,	Skelton,
Crumbley,	McClure,	Snead,
Davis,	McLean,	Stevens,
Duncan of 10th,	McMichael,	Sullivan,
Duncan of 36th,	Merritt,	Symons,
Golden,	Middlebrooks,	Taylor,
Hightower,	Moore,	Tisinger,
Hudson,	Park,	Van Buren,
Jordan,	Perry,	Worsham,

The following voted for Mr. D. P. Paulk:

Atkinson,	Dodd,	Lee,
Clark,	Harrell,	Roberts,
Clements,	Hopkins,	Sweat,

Upon casting up the vote, it appeared that Flynn Hargett had received 34 votes, which was a majority of the Senate. The President declared Flynn Hargett elected Messenger of the Senate for the years 1901 and 1903.

The next business in order was the election of a Doorkeeper.

Mr. Dodd nominated R. E. Wilson. This nomination was seconded by several. There being no other nominations made, the vote was taken *viva voce*. Upon casting up the vote it appeared that Mr. Wilson had received 42 votes, the entire vote of the Senate cast. The President declared Mr. Wilson duly the Senate for the years 1902 and 1903.

Upon motion of Mr. Sullivan, a committee of three was appointed to select a Chaplain of the Senate.

The President appointed on this committee Messrs. Sullivan, VanBuren and Duncan, of the 36th district.

The committee reports that they have selected Rev. J. W. G. Watkins as Chaplain of the Senate for the years 1902 and 1903.

Upon motion of Mr. Lee the pages, doorkeepers and porters, be appointed as before.

Senator Clements was appointed chairman of the Committee on Journals.

Mr. Jordan offered the following resolution, which was adopted:

A resolution notifying the House that the Senate was organized and ready to proceed to business.

Upon motion, the Senate took a recess, subject to the call of the Chair.

The Senate was called to order by the President.

Upon motion, the Senate adjourned until 4 o'clock this evening.

The Senate was called to order by the President at 4 o'clock.

The following resolution was read and adopted:

By Mr. Comas—

A resolution appointing a committee from the House and Senate to notify the Governor that the General Assembly has organized and is now ready for business.

Committee on part of Senate are Senators Comas, Jordan and Taylor.

Senator Turner, not having been present when the Senate convened this morning, came forward and took the oath of office, the same being administered by Judge Cobb, Associate Justice of the Supreme Court.

On motion, the Senate took a recess, subject to the call of the Chair.

The Senate was again called to order by the President.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

I am instructed by the House to inform the Senate that the House has perfected its organization, by the election of Hon. N. A. Morris of Cobb, Speaker; Hon. J. D. Howard of Baldwin, Speaker pro tem.; Hon. Jno. T. Boifeuillet of Bibb, Clerk; Hon. T. R. Penn of Jasper, Messenger; Hon. J. H. Williford of Fayette, Doorkeeper, and is now ready to proceed with the business of the session.

The following resolution was read and adopted:

By Mr. Sullivan—

A joint resolution appointing a committee of two from the Senate and three from the House, to arrange for the inaugural ceremonies of the Governor.

Committee on part of Senate are Senators Sullivan and Skelton.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has concurred in the following Senate resolution:

A resolution providing for a joint committee to notify the Governor the General Assembly is organized and ready for business.

House committee: Messrs. Grice, Pate of Gwinnett, Davis of Meriwether, Wilson, Knowles.

The following report was submitted by the committee appointed to notify the Governor that the General Assembly was organized:

*Mr. President:*

The joint committee of the Senate and the House has waited on the Governor and informed him of the organization of the General Assembly, and the Governor requests the committee to notify the Senate and the House that he would make a communication to them in writing later.

Respectfully submitted.

P H. COMAS, Chairman.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

Senate Chamber, Atlanta, Ga.

Thursday, October 23, 1902.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Allen,	Jordan,	Roberts,
Atkinson,	Lee,	Rountree,
Christie,	Ledford,	Skelton,
Clark,	Lewis,	Snead,
Clements,	Mathews,	Stevens,
Comas,	McClure,	Sullivan,
Dodd,	McLean,	Sweat,
Davis,	McMichael,	Symons,
Duncan of 10th,	Merritt,	Taylor,
Duncan of 36th,	Middlebrooks,	Tisinger,
Golden,	Moore,	Turner,
Harrell,	Park,	Van Buren,
Hightower,	Perry,	Worsham,
Hopkins,	Reid,	Mr. President.
Hudson,		

Those absent were Messrs.—  
Crumbley,

The Journal of yesterday was read and approved.

The following message was received from his Excellency, the Governor, through his Secretary, Mr. Hitch, to wit:

*Mr. President:*

I am directed by his Excellency, the Governor, to deliver to the Senate a communication in writing, with accompanying documents.

## MESSAGE.

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*To the Senate and House of Representatives :*

In transmitting to you my last annual message I congratulate you on the auspicious circumstances which surround you. During the year which is approaching its close prosperity in all branches of business has blessed the people of our State. Our farmers, upon whom those engaged in all other branches of business so largely depend, have been fairly prosperous. Labor has been employed at fair wages, and we have had no conflicts such as have marred the prosperity and tranquillity of sister States between employers and employees. Money for all legitimate enterprises has been abundant. Business in all the avenues of trade has been good. Invested capital has yielded fair remuneration to its holders. No scourge or pestilence has visited our shores. Our common schools and our colleges have never been in better condition nor done better work. Our State debt, already small, is being steadily reduced. The volume of property returned for taxation is steadily increasing, and the rapid rise in the State rate of taxation which marked the years from 1883 to 1898 has been arrested, and the annual tax rate has been reduced. All of our State institutions are in good condition and are doing well and efficiently the work for which they were intended, and upon the whole Georgia occupies an enviable position in the sisterhood of States.

### FINANCE AND TAXATION.

As will be seen from the reports of the Comptroller-General and the Treasurer, herewith transmitted, the total receipts at the Treasury for the fiscal year ending Septem-

ber 30th were \$3,886,163, and the total disbursements for the same period \$4,105,705. This excess of disbursements over receipts is due to the fact that in order to pay as far as possible arrearages due teachers and to pay new pensioners admitted to the rolls, for whose payment no provision had been made, the General Assembly at its last session authorized the use in payment of the interest on the bonded debt of a part of the money accumulated in the Treasury in the past from the sale of public property. The amount thus applied was \$325,880. But for this extraordinary disbursement the receipts would have exceeded the disbursements \$219,532.

The receipts include \$150,000 it became necessary to borrow in June, in order to enable the Treasurer to pay the teachers in the common schools for two months of their work in the first half of the present year. Last year to be able to pay them for two months' work we had to borrow \$200,000. This year to meet all other expenses, including a largely increased pension roll, and pay teachers for two months a loan of only \$150,000 was necessary, but this year the rate of interest was higher. Last year, as was shown by his report, the Treasurer borrowed from Georgia banks at 2 per cent. per annum. This year when it became necessary to borrow I requested him to again endeavor to borrow from the home banks at a low rate of interest. He applied to them, but while they manifested a disposition to accommodate the State, it was, with two exceptions, at rates varying from 4 per cent. to 5 per cent. They all assigned as a reason for the high rate of interest demanded by them the absorption in the channels of trade of the large surpluses they had in their vaults a year before when they loaned to the State at 2 per cent., and the active demand of their customers for money growing out of the revival of business. After this unsuccessful effort to place the loan in home banks at a rate of in-

terest satisfactory to me, I placed it with the National Park Bank of New York at two and a half per cent., which was the lowest rate obtainable in that city. This is a very low rate, considering the demands on the New York banks during the year for funds have been so heavy that call loans have frequently been made to their regular customers on the best collateral at 16 per cent. to 20 per cent., and sometimes even at a higher rate.

The aggregate taxable value of all the property in the State including railroads is \$467,417,180. This is an increase over last year of \$10,755,749. The rate of taxation for the present year was fixed by the Governor and Comptroller-General at \$5.30 on the thousand dollars. This rate will yield a sufficient amount to meet all ordinary demands on the treasury for the next year.

It is gratifying to be able to report to the representatives of the people that the rapid advance in the State's rate of taxation which began in 1883, when the tax rate was \$2.50 on the thousand and culminated in 1898 at \$6.21, the highest rate ever paid by the people of Georgia, has been, as elsewhere stated, arrested and indeed reduced during the last four years to an average of \$5.30½ per thousand. This is a saving to the taxpayers of \$1,600,000 in four years, sixteen hundred thousand dollars less than they would have paid had the rate remained \$6.21. This reduction has been rendered possible notwithstanding largely increased appropriations for pensions and schools, and special appropriations for new buildings at the University, the School of Technology and the State Sanitarium, partly by the most rigid economy in other public expenditures, and partly by the increase in the property returned for taxation.

In this connection I am glad to be able to say that all the appropriations made by the last Legislature have been sufficient to meet the demands on them, and there will be

no deficiencies for you to provide for at this session. Indeed, there will be in some of the appropriations for the present year small unused balances which will revert to the treasury.

### STATE INSTITUTIONS.

The attention of Senators and Representatives is invited to the reports of the various State institutions which have been laid on your desks. These reports will amply repay careful perusal. The State University is perhaps in a better condition, is doing better work and is more largely patronized than at any time in the past. The two new buildings provided for by your predecessors at their first session, Candler Hall and Denmark Hall, were both rapidly pushed to completion, and are two of the handsomest buildings on the campus, and afford ample accommodation for the largely increased number of students in attendance on the schools in Athens. The total number of students of college grade in all of the schools of the University is, as the report of the President of the Board of Trustees shows, 2,018. The School of Technology, the Georgia Normal and Industrial, the State Normal at Athens, the North Georgia Agricultural, the Academy for the Blind, the School for the Deaf and the University for Colored People, all supported partly or wholly by the State, are in fine condition and are doing good work.

The average number of patients in the State Sanitarium for the last year was 2,634, and the percentage of recoveries of those received during the year was 32.43. The total cost for maintenance of each patient during the year was \$112.68 per annum, or not quite thirty-one cents per day. A very small amount considering the manner in which they are cared for.

Two new buildings have been erected during the last two years at a cost of a hundred and fifty thousand dollars,

which will accommodate nearly fifteen hundred patients. These buildings were badly needed, because the institution has been overcrowded for several years past, and there were confined in the jails in some of the counties quite a number of lunatics for whom no room could be found in the Sanitarium.

For the present year the appropriation for the support of this institution was \$290,000. For the next year this amount will, for two reasons, be insufficient—the increased number of patients to be provided for and the general increase in the cost of everything necessary in the support of the institution. While rigid economy should be and is practiced by the present excellent management of the institution, we should not be parsimonious in providing for the wants of this, our noblest charity.

### SOLDIERS' HOME AND PENSIONS.

The Soldiers' Home, which was destroyed by fire a little over a year ago, has been rebuilt with the money for which it was insured, supplemented by voluntary contributions, in a more convenient and enduring form than before it was burned, and will accommodate 150 inmates.

It is again occupied by the veterans for whom it was built, and is filling a want that could not have been otherwise filled. There are now sheltered and provided for under its roof sixty-four decrepit old veterans of the war between the States, all of whom would have been forced by want and decrepitude into the county poorhouses but for this noble charity. During the last year twenty-one of the old heroes who had sought shelter within its walls have died. All are old and infirm, and in a few more years all will have crossed over the river to rest with the immortal Jackson "under the shade of the trees."

The trustees of the institution, who work without compensation, have been indefatigable in their labors incident

to the rebuilding and refurnishing of the home and in providing for the wants of those under their charge, and to them, and especially to their President, Judge W. L. Calhoun, the State owes a debt of gratitude for their unselfish devotion in their patriotic and philanthropic work.

The pension rolls still continue to grow, and unless there is some modification of the pension laws, it will be but a year or two till to meet their demands a million of dollars will be required. This year the appropriation for all classes of pensioners amounted to \$858,000.00; next year, according to the estimate of the Commissioner of Pensions, it will be about \$880,000.00

That there are many names on the rolls which ought not to be there cannot be doubted, and some reforms in the pension laws should be made in order to eliminate them. Pension laws are always abused and we cannot hope to make our system perfect, but we can approximate perfection by revising the laws so as to provide as nearly as possible for every worthy and needy ex-Confederate soldier, and at the same time exclude the impostors and those whose military services do not entitle them to the State's bounty.

To this end the Commissioner of Pensions makes some timely suggestions in his admirable annual report, to which I invite the careful attention of the General Assembly. The adoption of his suggestions and recommendations, which are the result of experience and careful study of the subject, would greatly improve our system and be conducive to fairness and economy in the administration of the pension laws.

### MISDEMEANOR CONVICTS.

I could not feel that I had come up to the full measure of my duty were I to go out of office without again calling the attention of the General Assembly to the present un-

satisfactory way of disposing of misdemeanor convicts. The law as originally enacted contemplated only the establishment by counties of county chain-gangs, to be worked by the county for the county. But by an unwarranted stretch of the law other chain-gangs authorized by county authorities, and nominally under their control, but worked not by the county nor for the benefit of the county, but by private individuals or companies for personal gain, have been established in quite a number of counties, sometimes two or three in the same county. Under the original act it was expressly provided that two or more counties might unite and organize a chain-gang to be employed on "public works," and under the act of 1878-9 it was provided that a "county, incorporated city, town or village, which has organized, or has determined to organize, a chain-gang to work misdemeanor convicts on its roads, streets or other public works" might hire this class of convicts from the county authorities of another county having no chain-gang, but always to be worked on roads, streets or some other public works; but there is no express provision of law anywhere authorizing the hiring of such convicts to private individuals, nor for working them anywhere except on public works. But because comparatively few counties organized chain-gangs to work on public works, it was often found difficult for the county authorities of counties having no chain-gang to dispose of their misdemeanor convicts. Hence the expedient of organizing chain-gangs in the name of the county, but really to be worked by private individuals for their own and not for the benefit of the county, was resorted to. Had there been a sufficient number of county chain-gangs in fact as well as in name to employ all misdemeanor convicts, this evasion of the law would probably not have been resorted to. And if this class of chain-gangs were worked and governed according to law, there would be no great evil in the system; but in many cases they are

not so worked and governed. To be operated according to law, all guards, overseers, whipping-bosses and physicians in charge of them should be appointed by the county authorities and paid out of the county treasury ; whereas these officers and agents are almost if not quite always employed and discharged by the lessee and paid by him. He, moreover, prescribes hours and character of labor, as well as quantity and quality of food and clothing, and inflicts punishment at his own discretion. As a result it is alleged that in some of these camps convicts have been overworked, poorly fed and inadequately clothed, and that the punishment inflicted on them has sometimes been cruel, and in one instance that has come to my knowledge even brutal. Many complaints of mistreatment of convicts reach the Executive office, and nearly all of them come from this class of chain-gangs, while but little, and I believe scarcely any, just complaint is heard from the State convicts who are under the direct control of the State Prison Commission, nor from the county gangs organized and worked by the counties for the counties under the immediate control of the county authorities. Nearly all the trouble is in these private unauthorized camps. The competition between them for misdemeanor convicts is sharp, and the prices paid for them are consequently so high that to make them profitable those who hire them spend as little as possible in feeding and clothing them, and at the same time exact from them all the labor possible. The evil practice, too, which has grown up in many of the counties of allowing court officers to divide out among themselves in payment of insolvent costs the money derived from the hire of this class of convicts is largely responsible for many abuses. Indeed it has been alleged that in some instances prosecuting officers and court officials who profit by this practice of collecting the hire of this class of convicts and dividing the money out among themselves in

payment of insolvent costs have a capital understanding with some lessees of misdemeanor convicts, and that such court officials are virtually recruiting officers for private chain-gangs. These complaints should be carefully looked into by the proper committees of the General Assembly, and if it is found that there is any truth in them, severe penalties should be provided to stop practices so reprehensible.

To remedy these evils three things are in my opinion necessary :

*First.* The law should be amended so as to legalize private chain-gangs, expressly authorizing the hiring of misdemeanor convicts to private parties as well as to counties, towns and cities.

*Second.* All convicts, misdemeanor as well as felony convicts, except those worked by counties according to law, should be put under the immediate and direct control of the State Prison Commission, who should prescribe and enforce the same rules and regulations for the working and management of all classes, and be allowed to employ and discharge all guards and physicians, whipping-bosses and overseers, and to employ a sufficient number of prudent, humane wardens to visit at least once a month, and oftener if necessary, every camp in the State, and see that the rules of the Commission are properly observed and the convicts humanely treated.

*Third.* The fee system should be abolished and all money derived from the hire of misdemeanor convicts should be paid into the county treasury, and all county judges and all solicitors should be paid salaries out of the county treasury. None of them should be dependent upon fees. Thus the temptation to institute frivolous prosecutions and to impose heavy fines and exact exorbitant costs in trivial cases would be removed, and there would be no ground to charge that any county court is run in the interest of the proprietors of private chain-gangs.

In this connection I desire to call the special attention of the General Assembly to the admirable report of the Prison Commission, in which will be found much valuable information and many wise suggestions as to our prison system and the future disposition of convicts.

### PAYMENT OF REWARDS.

Always hitherto rewards for the apprehension of fugitives from justice have been paid out of the contingent fund, but in recent years the drafts upon this fund for this purpose and for the payment of arbitrators in railroad tax cases have been so heavy that but little has been left for ordinary contingent expenses. The expenses incurred by the State in the apprehension of fugitives are a part of the cost of enforcing the criminal law and punishing crime, and are a legitimate charge on the fund arising from the hire of convicts.

I therefore advise the enactment of a statute authorizing the Governor to pay all rewards earned in the apprehension of fugitives from justice out of the hire of convicts and not out of the contingent fund.

### UNION PASSENGER STATION.

I transmit herewith the report of the Joint Committee appointed under authority of an Act passed at the last session of the General Assembly to provide for the erection of a new union passenger station on the site of the present union station in the city of Atlanta, and I regret that this report reveals the fact that no progress has been made toward the accomplishment of this greatly needed work.

The law under which your committee acted appropriated money to build a station, but provided that no work should be done and no money expended until all the railroads en-

tering the city had entered into a contract to become tenants in the new structure until the expiration of the present lease of the Western & Atlantic Railroad. It soon appeared during the progress of the negotiations between the chief executive officers of the roads and the State's representatives that some of the roads did not desire to enter into such a contract, but intended as soon as they could secure titles to certain grounds for which their agents were quietly negotiating, to build a station of their own and were merely temporizing with the State to gain time in which to perfect their plans. Still your committee persevered and tried in every way possible to remove the objections made to the State's proposition, but to no effect. When one objection was met another was raised, and nothing was left for them to do but report the facts to the General Assembly.

This failure of some of the roads to agree to the proposition of the State, which was substantially the proposition submitted by them to the State two years ago, is to be greatly regretted, since the removal of the union station from the present site on the State's property takes away from the State road much, perhaps one half, of its value.

To avert so great a loss two suggestions have been made, one to so amend the act of the last legislature as to authorize the committee to build without any contract with the roads as to the occupancy of the new structure, the other that the State extend her road now apparently at the mercy of other roads, to Savannah or Brunswick. Which of these alternatives, if either, the State should adopt, is a question for the representatives of the people to answer. To suffer her road to remain bottled up will destroy its value and greatly cripple the schools of the State, which are so largely supported out of the rental of the road.

## INEBRIATE ASYLUM AND REFORM SCHOOL.

Georgia has been a foremost State in providing for her unfortunate citizens. Her institution for the care of the insane is unsurpassed by any other institution of its character in the country, and it is amply supported out of the State treasury at an annual cost of more than twice the cost of the entire civil establishment. Ample provision has also been made for the education of the deaf and the blind, but for two classes of our unfortunates, the inebriate and the juvenile offender, no sufficient provision has been made. By the establishment of an inebriate asylum the State Sanitarium would be relieved of a large number of unfortunates who are now crowded into it, for whose treatment the institution is not prepared and was never intended. It is cruel and wrong to confine these patients with lunatics when by the establishment, on a moderate scale at first, of an institution in which they could receive proper treatment, most of them could be restored to happiness and usefulness.

The want of a reform school for juvenile offenders, in which they can be not only educated but reformed, is equally urgent. To manacle with chains, or confine within prison walls, in hourly contact with the basest criminals, the boy of twelve or fourteen years, the child perhaps of a widowed mother, or an invalid father, unable physically to look properly after him and exercise that parental control necessary with all children, is a crime against humanity, and to suffer it longer will be a reproach to the State. In the reform school such a child could, and in most cases would, be reformed and educated for useful citizenship, but if confined in the chain-gang or even at the State farm along with felons, he most frequently comes out not reformed, but hardened in criminality.

I earnestly recommend the establishment at once, on a moderate scale, of these two institutions, to be supported

partly or wholly by the State and governed as the State Sanitarium is now governed, by a Board of Trustees appointed by the Governor. Provision should be made for the reception of pay as well as pauper applicants. In this way the expense of supporting these institutions would be largely met by the families and friends of pay inmates, and the remainder by the saving in expenses of the State Sanitarium and the State farm, from which the patients in the inebriate asylum and the pupils in the reform school will be largely drawn.

### CONSTITUTIONAL CONVENTION.

It has been a quarter of a century since the present Constitution of Georgia was adopted. Under the provisions of the reconstruction acts of the Federal Congress a convention to frame a new Constitution was held and a Constitution was adopted which, while excellent in many of its features, was not the work of the people of the State, and was not adapted to the conditions that prevailed in Georgia at that time, nor to the needs of a people four-fifths of whose material wealth had just been destroyed by the results of the war of secession. Under its provisions an era of speculation and reckless enterprise and extravagance was inaugurated. The credit of the State was loaned to railroad projects in which there was no merit, and consequently great losses resulted to the State and great damage to her credit. A mammoth homestead exemption from levy and sale for debt was provided for, ostensibly in the interest of the masses of the people impoverished by the results of the war. Its effect was, however, to totally destroy the credit of nine-tenths of them. The ballot was put into the hands of every male person twenty-one years old and upward without regard to his virtue or his intelligence. Elections became corrupt, the balance of power being, in almost every county, in the hands of the ignorant.

and venal. Suffering from these evils, the people of the State demanded another convention to revise the organic law, and in 1877 it was held.

Action and reaction are always equal and in opposite directions. The convention of 1877 went as far in the direction of economy and even parsimony as that of 1868 had in extravagance and wastefulness. Under the latter the flood-gates were opened, under the former enterprise has been hampered and energy paralyzed. While under its provisions we have grown recklessly extravagant in some things, we have practiced niggardly economy in others. Frequent amendments of the organic law through the General Assembly have been adopted from time to time, till it is now a piece of patchwork, and it cannot be said to have been as a whole improved. It is often ambiguous and always ill adapted to the conditions which now prevail. Hence, there is among thinking men a wide-spread feeling in favor of another convention of the people to revise the Constitution and amend it so as to improve it and adapt it to the conditions which now surround us.

All the neighboring States have in the recent past found it necessary to call conventions for this purpose, and all have greatly improved their Constitutions. In Georgia there are three crying evils demanding a remedy, either one of which is of sufficient importance, if the convention should do nothing else, to warrant the people in assembling in convention.

*First.* The restriction of the elective franchise and the elimination of the venal and corrupt vote.

*Secondly.* A constitutional provision giving the Legislature more ample power in dealing with trusts and corporate monopoly.

So great has grown the tendency to the formation of trusts to control all the necessities of life and so great the power of corporate monopoly, that it will require the com-

bined effort of both the State and the Federal Government to restrain and hold them in check. Already almost every article in common daily use and of prime necessity in everyday life is controlled by trusts, and the wholesale combinations made in trade and transportation are rapidly closing to the young men of the country every avenue to successful business enterprise. To curb these gigantic combinations and protect the people against the insatiate demands of corporate greed more ample power must be given the Legislature. The safety of the people must be made the supreme law, and this maxim must be embedded and vitalized in the constitution. For years Congress has been discussing the matter but has found no adequate remedy, and the Legislature, hampered by a constitution framed to meet other conditions has been equally unsuccessful. Now, we owe it to the people to give them a chance to act. They are sovereign and can find and apply a remedy.

*Third.* A better and a safer method of selecting judicial officers.

Georgia has in her past history employed at different times four different ways of naming these officers, but it can be safely said that the present mode is the most objectionable of all. It will not do, and this is being demonstrated every day, to have the officers who are to sit in judgment on the rights and liberties of the people chosen in the arena of partisan and sometimes corrupt politics. We have as yet had no corrupt judges, but under the present system it is only a question of time when we will.

There are many other respects in which the present constitution could be greatly improved.

Nearly all are agreed that the foregoing propositions are true, and the only objections I have heard urged against the assembling of a convention are the cost and a fear that the corporations would get control of the convention and secure the adoption of a constitution more favorable to

them than to the people; in other words, a constitution which would enable the corporations and not the people of the State to control legislation and dictate the policy of the State. I entertain no such fears. That an effort in this direction might be made is possible, but that the people of Georgia can be driven by the agents of the corporations or bought with their money I am not ready to concede. I have heard no complaint that this has been done or attempted in neighboring States which have called conventions to revise their constitutions, and I have no fear that it would be done in Georgia. The people of this State can neither be bullied nor bought.

I therefore advise that provision be made at this session for a convention of the people to assemble during the next year for the purpose of revising the organic law.

### TAXATION OF RAILROADS.

Much complaint has been heard in the recent past that the railroads in the State are not bearing their proportionate share of the burthen of taxation. In some cases this complaint has been just; in others unjust.

Corporate property as individual property should be taxed according to its actual value. This is the spirit and the intention of the law and the problem to be solved is how to arrive at its "fair market value." Under the present law, the Act of 1874 as amended by the Act of 1899, the presidents of the railroad companies operating in this State are required to make a return under oath to the Comptroller-General of "each class or species of property to be separately named and valued." Thus each company returns and values its road-bed, its locomotives, its passenger cars, its freight cars and even its trestles and bridges separately, and herein the great inequality so justly complained of arises. The presidents of some roads put a fair aggregate valuation on all of the property of the road

considered as a unit, and apportion this total valuation among the several items, road-bed, locomotives, cars, etc., as best they can in an effort to comply with the letter of the law; while others insist on putting on each item returned in the schedule such price as it would probably bring if sold independently of all the others. An engine, however new or good, is returned at a low price for a second-hand engine, the rails are valued at the price of "old rails" or scrap iron, etc. This is manifestly unjust to all the taxpayers in the State, including those railroad companies which return their property at a fair valuation. It is an evasion of the spirit of the law and the evil calls loudly for a remedy. The great inequality thus arising is rendered possible only by our system of taxing these corporations. There should be no separation of the items entering into the building and operation of a railroad. It should be treated as a unit. It is as absurd to value separately for purposes of taxation the rails, the engines, the cars and the bridges of a railroad as it would be in returning a mill for taxation to put a separate valuation on the driving-wheel, the line of shafting and the dam. The whole road and its equipment should be taken together and valued as one whole, for without either one of the constituent elements the others become practically useless. It takes rails, cross-ties, engines and cars to make a railroad. These things, together with the franchise, the privilege granted it by the State to exist and do business in the State, are the essential elements entering into it and constituting its true value. The true measure of the value of any piece of property is its earning capacity. This general proposition is modified to some extent in railroad property by the physical condition of the road and rolling-stock. If the road-bed and equipment of two railroads are equally new and good and their net earnings per mile are the same, they should be valued for taxation at the same price; but

if their earnings per mile are the same while the rails and rolling-stock and cross-ties of the one are new and in good order and but little worn, while those of the other are old and well worn, this should be taken into the account in assessing them for taxation. That company whose road and equipment are in good order with ten years of future service in them should be assessed higher than another road earning the same income per mile but having but five years of service remaining.

But it is sometimes urged that we ought not to tax franchises. Why not? In some species of corporate property the franchise is the most valuable part of it. Such corporations as telegraph and telephone companies, if we leave out the franchise, and tax only their tangible property, which is at best of small value, will, while paying enormous dividends, escape the burthen of taxation borne by houses and lands and merchandise and every other species of visible property. Our law, enacted more than a half century ago, says "all property or other thing of value must be given in at its fair market value, and must be taxed according to its value." The franchise of a railroad is a "thing of value" and is subject to be taxed, and ought in justice to all the taxpayers to be taxed.

Adopting as the rule for estimating the value of a railroad for taxation the theory that the true measure of its value is its earning power, modified as above suggested, the question arises as to how best to arrive at its true value. Nobody is so well fitted to judge of the value of a railroad as the men who deal in the stocks and bonds of railroads. Perhaps every railroad in the State has, in addition to its stock, a bonded debt. Its true value is indicated by the price at which its stock and bonds sell in the markets. If a railroad company has put on the market a million of dollars of its bonds and a half million of its stock, and if these bonds and its stock sell in open market

at par, the real value of the road is a million and a half dollars, because it pays a fair interest on that amount and therefore ought to be taxed on that valuation. If on the other hand, its bonds, which take precedence of its stock, being secured by a mortgage on all the property of the road, bring par in the open markets and its stock only fifty cents in the dollar, the road is worth, not a million and a half but only a million and a quarter, and it ought to be taxed on that valuation, because it pays a fair interest only on that amount. Again, if the million of dollars of the bonds of the same road command in the markets par and the five hundred thousand dollars of stock a premium of a hundred per cent., two dollars for one, then the true value of the road is a million of dollars, the true value of its bonds, plus another million of dollars, the true value of its five hundred thousand dollars of stock, or two million of dollars, and it ought to pay tax on that amount because it earns a fair interest on that amount.

Substantially this plan of taxing railroads prevails in a number of States, notably the two great States of Pennsylvania and Illinois, and it has among its other obvious advantages the advantage that it has been passed upon and sustained by the highest judicial tribunal in the country. In passing upon a case which went up from Illinois, Justice Miller said: "It may be assumed for all practical purposes, and it is perhaps absolutely true, that every railroad company has a bonded indebtedness secured by one or more mortgages. The parties who deal in such bonds are generally keen and far-sighted men, and most careful in their investments. Hence the value which these securities hold in the market is one of the truest criteria, as far as it goes, of the value of the road. . . . It is therefore obvious that when you have ascertained the current cash value of the whole funded debt, and the current cash value of the entire number of shares, you have by the action of

those who, above all others, can best estimate it, ascertained the true value of the road."

This mode of ascertaining for purposes of taxation the true value of railroad property is so fair, so equitable and so just that I do not see how any fair-minded man can object to it, and it would certainly be a vast improvement on our present system, which experience has proved to be so objectionable.

But it may be said that there are roads whose stocks and bonds have no market value because the roads earn nothing but operating expenses, and sometimes not even that, and that the plan of taxation suggested above cannot for this reason be applied to them in fixing their value for taxation. This is true, but let it be remembered that the object in view is to ascertain the true market value of the road, and if the mode of doing this, which can be applied to almost all the roads, cannot be made to apply to a weak road here and there, whose stock and bonds have no market value, this does not argue that the road has no value and therefore ought to pay no tax. In all such cases the road is worth what the materials in it would bring if they were taken up and sold as second-hand materials, and this should be taken as the true value of the road in assessing it for taxation.

I therefore recommend that a law be enacted making the aggregate market value of all the stock and bonds of a railroad partly or wholly in this State the basis of taxation of such railroad when its stocks or bonds, or both, have a market value, and that when they have no market value the price at which the materials in the road and equipment would probably sell if taken up and offered at auction be taken as its true value, and that the proper officer of such companies be required to return their property for taxation upon this basis. The Comptroller-General should have the same right he now has to raise the valuation put upon

the road in the return, if in his judgment it is too low, and if the authorities of the road are not satisfied with the valuation of the Comptroller-General, they should be given the right of appeal to the State Railroad Commission, whose decision should be final. This would be better, more expeditious and cheaper than the present mode of arbitration. If any constitutional barrier is in the way of the enactment of such an arbitration law, the constitution should be amended to remove it.

### TAXATION OF COLLEGES.

In justice to some of our institutions for higher education, I desire again to call the attention of Senators and Representatives to a departure from a long-established policy of the State with respect to her colleges, and I cannot perhaps do so more forcibly than to repeat what was said to your immediate predecessors who passed in the Senate a bill which was, for want of time, never reached in the House of Representatives, to carry the recommendation into effect.

By an act approved on the 21st day of February, 1850, the colleges of the State were exempted from taxation. This statute was never formally repealed, but an unsuspected paragraph of the Constitution of 1877, which was perhaps not carefully scrutinized before its adoption, has been construed to repeal it. There was no demand from the people for its repeal, and there is good reason for believing that a majority of the people did not and do not desire the property of the colleges of the State taxed. The taxation of these institutions of learning cripples them, but it does not appreciably increase the income of the State nor sensibly lighten the taxes of the individual citizen. The incorporated colleges, the title to whose property is vested in a board of trustees, are not conducted for purposes of private

or corporate gain, but they render a public service of great benefit to the commonwealth. Their value to all the people of the State in the promotion of learning, in the contribution made by them to the teaching force of the common schools, and in the general uplifting of the material and intellectual prosperity of the State, entitle them to the consideration accorded them by the Act of 1850. Their taxation acts as an embargo upon enlightenment, and as a discouragement to that generosity toward colleges and universities which is all too uncommon in the South. The hardship which results from such taxation falls especially upon colleges for our white people. The colleges for the colored are maintained for the most part from sources of income located in organizations and endowments beyond the limits of the State, and thus they escape much of the taxation which falls on the colleges for the whites.

In view of all these and other considerations which might be mentioned, it would seem that it behooves us to return to the enlightened policy of the State adopted before the war between the States, and from which we, without the knowledge of the people, unwittingly departed in 1877. At any rate no harm can be done by submitting to the people an amendment of the constitution permitting the legislature to exempt from taxation the property of colleges the title to which is vested in a board of trustees solely for educational purposes, and not for individual gain. The people may be safely allowed to say at the ballot box if they can afford to trust the General Assembly with such power.

Believing that the welfare of the State would be promoted by such exemption, I recommend that an amendment of the constitution authorizing it be submitted to the people for their ratification or rejection at the next general election.

## PRESERVATION OF THE ARCHIVES.

I beg again to call the attention of the General Assembly to the importance of making some immediate provision for the preservation of Georgia's Colonial, Revolutionary and Confederate Records. Many of these records have been already lost or destroyed, and many more are going rapidly to decay and will soon be lost unless provision is made at once for their preservation. Even the copies of the muster-rolls of the Georgia troops in the war between the States, obtained some years ago from Washington, are wearing out from frequent handling, and there are in the war office rolls of many Georgia organizations of which we have never had copies. Our colonial and revolutionary records have fared even worse. Many, perhaps most of them, have been lost, and in a few years more but few of them will be left if provision for their preservation in an enduring form is not made at once.

Georgia has an honorable history. The escutcheon of no State is brighter. Her history and the history of the achievements of her illustrious sons of the past should be preserved for the information of the future and as an inspiration to those who are to come after us. All of the older States have had compiled or made preparation for the compiling and printing of their archives. Georgia, never a laggard in other things, should not be a laggard in this patriotic work. Two organizations of patriotic women, the Daughters of the Revolution and the Daughters of the Confederacy, have already done much in the way of compiling and preserving these records, but they cannot do all. The State must help. Will the sons and brothers and husbands of these noble daughters of Georgia refuse the pittance necessary to complete the work they have begun and prosecuted with such unselfish devotion? I do not believe it.

I therefore earnestly recommend that the Governor be authorized to appoint some fit and proper person, at a salary not to exceed two thousand dollars a year, for not exceeding three years, to take charge of the work and cooperate with these ladies in compiling and publishing the Colonial, Revolutionary and Confederate records of the State. He should be allowed a reasonable amount for copyists and typewriters, and the printing and binding should be done by the State Printer at the same price and in the same manner as other public printing.

### LOUISIANA PURCHASE EXPOSITION.

The General Assembly at its last session provided for the appointment of a commission "to take proper steps to see that the State of Georgia is properly represented" at the Louisiana Purchase Exposition, and authorized the said commission "to devise any legal means to see that the agricultural products and other resources of Georgia are represented at said Exposition."

It will be impossible for the commission to make a decent exhibit at this exposition, and one that would do justice to our boundless resources, without the financial aid of the State. An effort was made to have exhibits at both Buffalo and Charleston, and for this purpose the paltry sum of a thousand dollars was appropriated. This money was worse than wasted. The exhibits that it was possible to make with so small a sum were of no value to the State, but did actual harm. Persons seeing these "Georgia exhibits" were impressed with the apparent paucity of the State's resources, when not one-twentieth part of them were represented.

If we are to make any sort of a display of our resources at the great exposition at St. Louis, we should make one that will be a credit to the State, otherwise we should make none. To make such a display as should be made money should be appropriated to enable the commission to

do it. In the past it has sometimes been urged that an appropriation for such a purpose would be unconstitutional and this has been the excuse for the scanty appropriations for the Buffalo and Charleston expositions. But it was a lame excuse. If an appropriation of one thousand dollars could be made without violating the constitution, ten thousand could have been appropriated. The truth is there is no constitutional inhibition. The constitution declares that "the General Assembly shall not, by vote, resolution or order, grant any donation or gratuity in favor of any person, corporation or association." This is all. An appropriation from the State treasury to exhibit and advertise the resources of the State at a great exposition is not a donation or gratuity, and if it were, it is not made to "any person, corporation or association." It is simply the use by the State of the money of the State for the benefit of the State. Georgia should exhibit her resources at this great exposition, and in order to enable her commission to make a creditable exhibit the General Assembly should appropriate an adequate amount for this purpose.

### CONCLUSION.

In taking final leave of the General Assembly I trust I will be pardoned if I impress upon its members the gravity of the responsibilities the people have imposed upon them. The welfare of about two and a quarter millions of people and the honor of a glorious old State are for the time being committed to your keeping. This is a grave responsibility. Let all of your official actions conform to the legend inscribed on the hitherto untarnished escutcheon of our State: Wisdom, Justice, Moderation. Let Wisdom mark all of your deliberations; let Justice to every class for whom you must legislate characterize your every act; and let Moderation guide you in every step of your legislative career.

Thus you will honor yourselves and bring blessings upon the people who have honored you, and show to the world that Georgia has placed herself in the van of progressive but conservative States, and that her people have taken their position in humanity's grand march toward the ideals of an ever-advancing Christian civilization.

ALLEN D. CANDLER.

## APPENDIX.

## EXECUTIVE CLEMENCY

## PARDONS GRANTED.

M. C. Turner and Geo. Shipman—Convicted at the February term, 1901, of the superior court of Gordon county, of selling whiskey illegally, and sentenced to \$100 and costs, and three months in jail, and fifty dollars and cost and three months in jail, respectively. Paid their fines and served one month in jail. Pardon recommended by the judge, solicitor, jury and many citizens. Granted August 5, 1901.

W. I. Flanigan—Convicted at the January term, 1901, of the superior court of DeKalb county, of the offense of illicit distilling of whiskey, and sentenced to twelve months on the chain-gang. Had been previously convicted and sentenced to four months imprisonment in the United States Court, which term he served. Has now served six months of his sentence in the State courts. Judge who sentenced him urged his pardon, and many good citizens of Jackson county request clemency in his behalf. Pardon granted August 5, 1901.

Gus Hawshaw—Convicted at the February term, 1901, of the superior court of Hall county, of carrying concealed weapons and larceny, and sentenced to twelve months in each case. Badly crippled and diseased, and unable to work. Pardon granted August 15, 1901.

Frank Diamond—Convicted at the October term, 1900, of the superior court of Whitfield county, of the crime of larceny, and sentenced to twelve months on the chain-gang. Served out all of his term except about thirty days, and the camp physician certifies that he is in the last stages of consumption. Granted August 14, 1901.

John Norris—Convicted at the March term, 1893, of the superior court of Hart county, of burglary in five cases, and sentenced to twenty-nine years in the penitentiary. Crime committed when he was only seventeen years of age, and acted under the influence of older persons. Has served over eight years, and his pardon recommended by the judge, solicitor, jury, county officers, the prosecutors and many citizens. Granted August 15, 1901.

Ernest C. David—Convicted at the January term, 1901, of the superior court of Fulton county, of the offense of burglary. Sentenced to twelve months on the chain-gang. Only eighteen years of age. Served about seven months of his sentence, and subject to epileptic fits. Convicted on circumstantial evidence. Pardon granted August 15, 1901.

M. E. Allen—Convicted at the February term, 1901, of the superior court of Terrell county, of murder, and sentenced to eight months on the chain-gang. Served more than six months of his sentence and developed rheumatism and kidney disease. Pardon recommended by the trial judge, solicitor and jury. Granted September 6, 1901.

C. S. Allen—Convicted at the May term, 1895, of the superior court of Terrell county of murder, and sentenced to life imprisonment. It appears from the evidence that a verdict for voluntary manslaughter would have been proper. Has served about six years, and his pardon is recommended by the judge and solicitor that tried him, the jury that convicted him, and many county officers and citizens. Pardon granted September 28, 1901.

Hattie Hargrave—Convicted at the February term, 1901, of the superior court of Taliaferro county, of assault and battery in two cases, and sentenced to fine of \$100 or six months in each case. It appears from the evidence that she was not the aggressor in the first case. She has served over seven months and is in bad health. Pardon granted October 3, 1901.

Robert L. Surtees—Convicted at the spring term, 1898, of the superior court of Dodge county, of forgery, and sentenced to four years in the penitentiary. Has served all his sentence except two days with good behavior. Pardon granted October 10, 1901.

John Field—Convicted at the spring term, 1893, of the superior court of Hart county, of the crime of burglary in five cases, and sentenced to twenty-four years in the penitentiary. Was only sixteen years of age when the crimes were committed, and acted under the influence of older persons. Has served more than eight years of his sentence. Pardon recommended by the trial judge, solicitor and jurors. Granted October 10, 1901.

Blanche Freeman—Convicted at the May term, 1901, of the superior court of Muscogee county, of fornication, and sentenced to six months in jail. Served five months of her sentence, and pardoned for the reason that she was in an advanced state of pregnancy. Pardon granted October 26, 1901.

Bazeen Carver—Convicted at the October term, 1897, of the superior court of Coffee county, of voluntary manslaughter, and sentenced to ten years. Sentence previously commuted to five years, most of which he has served. Considerable doubt as to his guilt. Pardon granted November 2, 1901.

Jake Marshall—Convicted at the May term, 1901, of the city recorder's court of Augusta, of carrying pistol concealed, and sentenced to fine of \$300, or three months on the public works. He also plead guilty in the city court of Richmond county to the same offense, and sentenced to pay fine of \$50, or six months on the public works. He served out the recorder's sentence and a portion of the sentence in the city court. The judge of the city court recommends his pardon. Pardon granted November 5, 1901.

James Robinson—Convicted at the June term, 1899, of the superior court of Burke county, of voluntary manslaughter, and sentenced to fifteen years in the penitentiary. The killing took place in a difficulty, in which the deceased was the aggressor. His pardon is recommended by the judge and solicitor that tried him, and the jury that convicted him, and many citizens of Burke county. Granted November 8, 1901.

W J Gunn—Convicted at the fall term of the superior court of Colquitt county, of forgery, and sentenced to two years. He was addicted to the use of opium, which probably

weakened his mind and character. The forgery was of a trivial nature, as he only obtained a cheap pair of shoes. His pardon recommended by the judge and solicitor-general and county officers. Granted November 9, 1901.

Albert Walker—Convicted at the March term, 1901, of the superior court of Bibb county, of burglary, and sentenced to twelve months on the chain-gang. The crime was insignificant, as he only obtained two dress skirts belonging to his mother, and who, in anger, prosecuted him. Pardon granted November 12, 1901.

A. A. Gay—Convicted at the April term, 1900, of the superior court of Emanuel county, of voluntary manslaughter, and sentenced to four years in the penitentiary. There was grave doubts as to his guilt, on account of which the judge and solicitor that tried him, the jury that convicted him, the grand jury that indicted him, and many citizens, including the prosecutor, recommend his pardon. Granted November 13, 1901.

C. H. Franklin—Convicted at the October term, 1881, of the superior court of Bibb county, of murder, and sentenced to life imprisonment. There were no eye-witnesses to the killing; the evidence entirely circumstantial, and he has always protested his innocence. Has served twenty years at hard labor, which is equivalent to a sentence of thirty years, counting good behavior. Is now over fifty years of age and has lost one of his hands while performing his duties as a convict. Pardon granted November 19, 1901.

William Loyd—Convicted at the fall term, 1898, of the superior court of Chatham county, of simple larceny, and sentenced to four years. His conduct has been exemplary, and on one occasion he assisted in the capture of an escaped convict. Pardon granted November 27, 1901.

T. B. Henderson—Convicted at the April term, 1893, of the superior court of Newton county, of voluntary manslaughter, and sentenced to fifteen years. Has served a term equivalent to eleven years, with good conduct. Pardon recommended by ten members of the jury that tried him and the county officials. Granted November 22, 1901.

Alex West—Convicted at the September term, 1900, of the superior court of Clay county, of larceny, and sentenced to three years. Was convicted on circumstantial evidence, which was very doubtful and uncertain. Pardon recommended by the judge, solicitor, jury, and many citizens. Granted December 3, 1901.

Andrew Leigh—Convicted at the March term, 1901, of the city criminal court of Atlanta, of keeping a gambling house, and sentenced to twelve months. Was also convicted of gaming, and for that offense sentenced to six months. Both convictions grew out of the same transaction, and he has served out the twelve months sentence. The judge and solicitor recommend his pardon. Granted December 14, 1901.

J. C. Peugh—Convicted at the August term, 1899, of the superior court of Spalding county, of simple larceny, and sentenced to five years in the penitentiary. Served two years and four months of his sentence. Pardon recommended by the prosecutor, grand jurors, the judge and solicitor, and many citizens. Granted December 14, 1901.

James W. Wood—Convicted at the February term, 1901, of the superior court of Jackson county, and sentenced to three years. The crime charged was that of incestuous fornication, alleged to have committed on his daughter. She afterwards made affidavit that she had sworn falsely against her father and that he was innocent. He had always borne a good character. Pardon recommended by the trial judge and solicitor, the jury that convicted him, and the county officers. Granted December 16, 1901.

Charlie Spanish—Convicted at the October term, 1893, of the superior court of Thomas county, of burglary in two cases, and sentenced to ten years in the penitentiary in each case. He has served out one term of his sentence. The judge states that through a mistake, he imposed a ten-year sentence in each case, when he only intended to give him ten years in both cases. Pardon recommended by the trial judge and the representatives from Thomas county. Granted December 18, 1901.

Samuel Keel—Convicted at the September term, 1901, of the superior court of Newton county, of burglary, and sentenced to twelve months. The prosecutor urges his pardon, on the ground that facts have developed since the trial that cause him to doubt the defendant's guilt. Pardon granted December 21, 1901.

Jasper J. Doss—Convicted at the September term, 1900, of the superior court of Cherokee county, of assault and battery in two cases; of furnishing liquor to a minor and using obscene language in the presence of a female. Sentenced to twelve months each, in the first two cases, and three months each in the other two. Has served sixteen months on the chain-gang, which is thought to be sufficient punishment. Pardon recommended by the judge, jury, and many good citizens. Granted January 3, 1902.

Spencer Evans—Convicted at the November term, 1899, of the superior court of Wilkes county, of rape, and sentenced to ten years in the penitentiary. When convicted he was only twelve years of age. The prosecutor now recommends that he be pardoned. Has served more than two years of his sentence. Pardon granted January 4, 1902.

Lester Lavender and Ned Moose—Convicted at the October term, 1899, of the superior court of Lumpkin county, of simple larceny, and sentenced to four years. They were less than twenty years of age when the crime was committed. While on a drunken spree they took and rode away two horses. They have served more than two years of the sentence, and their pardon is recommended by the judge, solicitor, trial jury and grand jury. Granted January 4, 1902.

Chas. Ramsey—Convicted at the November term, 1870, of the superior court of Troup county, of murder, and sentenced to life imprisonment. Has served more than thirty years with exemplary conduct. His pardon is recommended by the county officers and many citizens of Troup county. Granted January 4, 1902.

Lum Strickland—Convicted at the March term, 1890, of the superior court of Floyd county, of murder, and sentenced to life imprisonment. The evidence was very conflicting, and a verdict of acquittal would not have been improper. This

view of the case is upheld by the Supreme Court. Pardon recommended by the judge that sentenced him and eight of the jurors that convicted him. Granted January 4, 1902.

Will Smith—Convicted at the ————— term, 1894, of the superior court of Fulton county, of arson, and sentenced to life imprisonment. Considerable doubt as to his guilt, as the fire appears to have been more the result of carelessness than criminal intent. His pardon is recommended by the prosecutor and many citizens. Granted January 4, 1902.

W Andrew Stuckey—Convicted at the November term, 1898, of the superior court of Laurens county, of murder, and sentenced to life imprisonment. The principal witness against him has since been shown to be wholly unreliable. There is considerable doubt as to his guilt. His pardon is urged by the judge and solicitor that tried him, the jury that convicted him, and many good citizens. Granted January 10, 1902.

Walter Jordan—Convicted at the December term, 1901, of the city court of Floyd county, of stabbing, and sentenced to pay a fine of \$75, or six months. He is shown to be an ignorant, weak-minded boy, about seventeen years of age. The evidence shows that his adversary had him down beating him, when he inflicted a slight wound with a knife. He was advised to plead guilty during the absence of his counsel. Pardon granted January 17, 1902.

James G. Craig—Convicted at the October term, 1901, of the superior court of Fulton county, of forgery, and sentenced to six months. Was addicted to the use of morphine, which probably rendered him morally irresponsible. Pardon recommended by the prosecutor, the solicitor, and other good citizens. Granted January 25, 1902.

Joe Phelps—Convicted in 1884, in the superior court of Randolph county, of murder, and sentenced to life imprisonment. He was a mere boy and was convicted on the evidence of a witness who has since been indicted for perjury and fled from the State. He has served eighteen years with good conduct. Pardon urged by more than 500 citizens of Randolph county; by the trial jury, the officers of the county, and by the judge and solicitor. Granted January 27, 1902.

Harry Evans—Convicted at the August term, 1899, of the superior court of Taliaferro county, of assault to rape, and sentenced to fifteen years. The people of the county have become convinced of his innocence, and his pardon is urged by the trial judge and jury, and the solicitor, and by the father and mother of the girl. Granted January 28, 1902.

A. D. Reviere—Convicted at the February term, 1890, of the superior court of DeKalb county, of murder, and sentenced to life imprisonment. There were no eye-witnesses to the killing, and defendant claimed to have acted in self-defence. He has served more than twelve years at hard labor. His conduct has been good. Pardon granted January 28, 1902.

Hilliard Griffin—Convicted at the September term, 1901, of the superior court of Baldwin county, of riot and carrying concealed weapons, and sentenced to pay a fine of \$60, or twelve months in each case. Has served more than four months of his sentence, which is considered sufficient punishment, in view of his previous good character. Pardon granted January 31, 1902.

Lem and Julius Bone—Convicted at the ————term of the superior court of Fulton county, of larceny. The evidence upon which they were convicted was circumstantial, and the Chairman of the Board of Pardons says: "Personally I have such grave doubts of the guilt of these men that I believe clemency should be granted them." Pardon granted February 7, 1902.

W. E. Bennett—Convicted at the March term, 1897, of the superior court of Chatham county, of assault with intent to rape, and sentenced to ten years in the penitentiary. The Prison Commission says: "The general circumstances brought to the attention of the Board of Pardons indicates some uncertainty and mitigation of the offense." His character prior to conviction was good, and his conduct since conviction has been exemplary. Pardon granted February 26, 1902.

John Thomas—Convicted at the February term, 1883, of the superior court of Campbell county, of murder, and sentenced to life imprisonment. The killing was the result of

criminal intimacy between the wife of Thomas and the deceased. He has served more than nineteen years, and his pardon is recommended by the judge and solicitor that tried him and many good citizens. Pardon granted March 15, 1902.

Anna and Malinda Brock—Convicted at the April adjourned term, 1900, of the superior court of Pickens county, of murder, and sentenced to life imprisonment. The evidence upon which they were convicted was wholly circumstantial and there was grave doubt as to their guilt. Their pardon was recommended by the judge, solicitor, the trial jury and grand jury and by a large number of citizens. Granted March 15, 1902.

William Oglesby—Convicted at the April term, 1898, of the superior court of Emanuel county, of voluntary manslaughter, and sentenced to six years in the penitentiary. The killing was the result of a mutual combat between defendant and deceased, in which defendant was severely wounded twice by a pistol in the hands of deceased. His pardon was recommended by the judge, solicitor and many of the jury and by many of the county officers and citizens. Granted March 15, 1902.

Tom Burton—Convicted at the February term, 1899, of the superior court of Cherokee county, of burglary, and sentenced to seven years in the penitentiary. Defendant and another committed burglary from a railroad depot. The other party was subsequently tried, convicted and sentenced to a fine of \$100.00 or twelve months. Defendant has served about three years and it is thought his punishment has been sufficient. Pardon granted March 18, 1902.

Lewis West—Convicted at the February term, 1902, of the city criminal court of Atlanta, and sentenced to pay a fine of \$50 and costs, or six months on the chain-gang. Defendant is an old negro about sixty-five years of age, unable to do hard manual labor and unable to pay the fine. His pardon is urged by the judge, solicitor, his employer and others, including the prosecutor. Granted March 17, 1902.

Alfred Turner—Convicted at the January term, 1900, of the superior court of Glynn county, of larceny, and sentenced to two years. Has served all but three months of his sentence.

His pardon is recommended by the judge, solicitor, grand jurors and many citizens. Granted March 17, 1902.

Daisy Leonard—Convicted at the January term, 1902, of the superior court of Fulton county, and sentenced to a fine of \$100.00, and thirty days in jail, and in default of payment of the fine, six months additional in jail. Defendant was a young woman about twenty-one years of age and at the time of her conviction was an inmate of a lewd house in the city of Atlanta. Since her conviction and during her incarceration in jail it appears that she has repented and expresses genuine conversion. She has agreed to go to the Florence Crittendon Home and her pardon is urged in order that she may be given an opportunity to begin a new life. Pardon granted April 2, 1902.

J. W. Register—Convicted at the June term, 1901, of the city court of Douglas, of carrying concealed weapons, and sentenced to twelve months. He is a young white man who has a wife, three children and an aged mother dependent on him. He has served nine months and his pardon is urged by the judge, solicitor and county officials. Granted April 4, 1902.

Porter B. Davis—Convicted at the May term, 1899, of the superior court of Pierce county, of voluntary manslaughter, and sentenced to four years. He has served the greater portion of his sentence and his pardon is urged by a large number of the citizens of Pierce county. Pardon granted April 7, 1902.

Luke Bass—Convicted at the September term, 1888, of the superior court of Floyd county, of burglary, and sentenced to twenty years in the penitentiary. The goods taken were only worth about eleven dollars and he has served more than thirteen years. His pardon is urged by the judge and solicitor that tried him. Granted April 7, 1902.

James Hughes and Swinton Powell—Convicted at the September term, 1901, of the superior court of Habersham county, of liberating prisoners from the calabos in Toccoa. and sentenced to pay a fine of \$15.00 each, or twelve months. The prisoners released were two women, and the evidence upon

which they were convicted was circumstantial. Their pardon is recommended by the judge and solicitor and the city officials of Toccoa. Granted April 7, 1902.

John S. Sutherland—Convicted at the October term, 1897, of the superior court of Richmond county, of rape, and sentenced to sixteen years in the penitentiary. The judge who tried him says: "I have never felt satisfied with this conviction and if a motion had been made for a new trial I would have promptly granted it." Pardon urged by the judge and solicitor. Granted April 11, 1902.

Charles Daniel—Convicted at the February term, 1898, of the superior court of Greene county, of voluntary manslaughter, and sentenced to six years. The defendant is a negro boy and has served out the greater portion of his sentence. Pardon urged by the officers of Greene county and a large number of citizens. Granted April 11, 1902.

A. A. Pullen—Convicted at the September term, 1901, of the city court of Dublin, of selling whiskey, and sentenced to pay a fine of \$800.00, or twelve months. The evidence was conflicting and there is doubt of his guilt. His character previous to conviction was good. His pardon is urged by the judge, solicitor, county officers, and many citizens. Granted April 11, 1902.

James Watts—Convicted at the August term, 1901, of the superior court of Butts county, of stealing a ride on a railroad train, and sentenced to pay a fine of \$50, or twelve months. Was a negro of good character and formerly employed by the railroad. Served eight months of his term and his pardon is recommended by the judge and solicitor. Granted May 5, 1902.

Ransom Miller—Convicted at the October term, 1901, of the city criminal court of Atlanta, and sentenced to eight months. His pardon urged by the judge and solicitor on the ground that he has served more than five months of the sentence and his wife, children and mother are in destitute condition and need his assistance. Granted May 5, 1902.

Ruff Lawrence—Convicted at the October term, 1901, of the superior court of Early county, of the offense of man-

slaughter, and sentenced to one year in the penitentiary. Deceased provoked the difficulty and was a dangerous man. His pardon is recommended by the judge, solicitor and trial jurors. Granted May 8, 1902.

Jack Griggs—Convicted at the September term, 1901, of the superior court of Fayette county, of assault to rape, and sentenced to ten years. The prosecutor now says she swore falsely against him, and the judge and solicitor urge the pardon. Granted May 8, 1902.

Rebecca Carter—Convicted at the March term, 1902, of the superior court of Fulton county, of car-breaking, and sentenced to twelve months. The evidence against her was circumstantial and not conclusive. Her health has broken down, and her pardon is urged by the arresting officer, the solicitor that prosecuted her, and others. Granted May 10, 1902.

Vezier Lee—Convicted at the February term, 1898, of the superior court of Butts county, of manslaughter, and sentenced to three years. The killing took place at a negro frolic in a general fight, in which Lee was himself cut twice. His pardon is recommended by the judge, solicitor, and many good citizens. Granted May 10, 1902.

Anthony Walker—Convicted at the October term, 1900, of the superior court of Butts county, of selling whiskey illegally, and sentenced to pay a fine of \$100, or nine months. He plead guilty to four indictments and entered at once upon his sentence. He served more than nineteen months; is an old negro over fifty years of age; a sufferer from acute rheumatism, and his pardon was recommended by the judge, solicitor, county officers and others. Granted May 10, 1902.

Chas. Robinson—Convicted at the October term, 1901, of the superior court of Fulton county, of larceny after trust, and sentenced to one year. Is a small boy only thirteen years of age. He only took a pair of second-hand pants of small value. Pardon urged by the prosecutor and the solicitor. Pardon granted May 16, 1902.

John W Dixon—Convicted at the spring term, 1896, of the superior court of Taylor county, of murder, and sentenced to life imprisonment. He was convicted on the testimony of the

thirteen-year old daughter of the deceased. Facts have since developed which tend to discredit her testimony. His pardon urged by the solicitor, sixteen members of the grand jury, ten of the trial jury, county officers, many citizens and the widow of the deceased. Pardon Granted May 17, 1902.

W. B. Berkley—Convicted at the January term, 1902, of the superior court of Fulton county, of misdemeanor, and sentenced to six months in jail. Served more than four months, and on account of his bad health his release is urged by the prosecutor, the jailor and the county physician. Pardon granted May 27, 1902.

Thompson Richardson—Convicted at the May term, 1885, of the superior court of Wilkes county, of murder, and sentenced to life imprisonment in the penitentiary. Has served more than seventeen years at hard labor, during which time he has had both legs broken twice. He is now an old, ignorant, weak-minded negro. Pardon urged by the grand jury that indicted him, by the trial jury, by county officers and many citizens. Pardon granted May 28, 1902.

J. J. Carroll—Convicted at the December term, 1901, of assault and battery, and sentenced to twelve months in the chain-gang. His conduct has been exemplary, and his pardon is urged by the solicitor, nine of the jurors, many reputable business men of Atlanta, on the ground that his punishment has been sufficient. Pardon granted May 28, 1902.

Alex W. Owens—Convicted at the March term, 1897, of the superior court of Fulton county, of burglary, and sentenced to ten years. It has been shown that he did not actually participate in the burglary, as he was drunk at the time. He was arrested in company with the burglars and convicted on circumstantial evidence. His pardon urged by the prosecutor and many citizens. Pardon granted June 19, 1902.

Robert L. Darden—Convicted at the fall term, 1898, of the superior court of Cobb county, of perjury, and sentenced to five years. Was convicted on evidence that has been so grossly discredited as to make his innocence practically established. His pardon urged by many good citizens of Cobb county. Granted June 12, 1902.

John T. Clark—Convicted at the —————term of the superior court of DeKalb county, of assault to murder, and sentenced to five years in the penitentiary. The crime was committed in a heat of passion. He has served more than three years with most exemplary conduct. On one occasion, when another convict was trying to escape, he overpowered him and prevented his escape. Pardon granted June 12, 1902.

Lewis Grimes—Convicted at the May term, 1901, of the city court of Elberton, of selling whiskey, and sentenced to twelve months. He is in the last stages of consumption, and his pardon urged by the judge and solicitor that tried him, and many citizens. Has served all of his term except one month. Granted June 13, 1902.

Alex Dougherty—Convicted at the August term, 1901, of the superior court of Polk county, of carrying a pistol concealed, and sentenced to twelve months. Has served more than five months, and his pardon is recommended by the judge that tried him, on the ground of sufficient punishment. Pardon granted June 25, 1902.

Japheth McFarland—Convicted at the October term, 1901, of the city criminal court of Atlanta, of forcible ejection, and sentenced to twelve months. He has made proper restitution and has served more than three months, and his pardon is recommended by the judge and solicitor. Pardon granted June 27, 1902.

John R. White—Convicted at the October term, 1901, of the superior court of Carroll county, of seduction, and sentenced to twelve months in the penitentiary. There was strong doubt as to his guilt, and he has served more than nine months. His pardon urged by the jury that convicted him, and many citizens. Pardon granted June 28, 1902.

Z. V. Carter—Convicted at the September term, 1899, of the superior court of Echols county, of voluntary manslaughter, and sentenced to five years. Evidence procured since the trial tends very strongly to uphold his defence of justifiable homicide. His pardon urged by the judge, solicitor-general, grand jury, trial jury, and many citizens. Pardon granted July 11, 1902.

W. B. Freeman—Convicted at the fall term, 1901, of the superior court of Montgomery county, of the offense of selling whiskey illegally in six cases, and sentenced to serve three months in the chain-gang in each case. "The town of Higgston, in Montgomery county, by municipal ordinance, attempted to regulate and license the sale of whiskey, which they had no legal authority to do. Defendant procured and paid for license from the town, acting under the written advice of counsel that such license would protect him; paid the tax required by the State and United States for retail liquor dealers, and proceeded to sell openly. The judge before whom he was tried recommends this clemency, on the ground that while technically guilty, he had no intention of violating the law." Pardon granted July 11, 1902.

Dan Shewmake—Convicted at the November term, 1885, of the superior court of Burke county, of murder, and sentenced to life imprisonment. He has served twenty-seven years, counting time allowed for good behavior, with exemplary conduct. Pardon recommended by many citizens of Burke and Clinch counties. Pardon granted July 11, 1902.

Ozro Curtis—Convicted at the September term, 1901, of the superior court of Habersham county, of larceny from the house, and sentenced to twelve months. He was only eighteen years of age, and the property taken was of less value than one dollar. Served nearly his entire sentence with good conduct. Pardon urged by the judge, solicitor and many citizens. Granted July 11, 1902.

Henry Carter—Convicted at the fall term, 1892, of the superior court of DeKalb county, of voluntary manslaughter, and sentenced to twenty years. He was first convicted of murder, which verdict was set aside by the judge, on the ground that the evidence did not support the verdict. He then plead guilty to voluntary manslaughter. The killing took place under great provocation, as deceased had attempted to debauch his wife. Pardon recommended by the judge and many citizens of the county. He has served about ten years of his sentence. Pardon granted July 11, 1902.

Fletcher Sims—Convicted at the April term, 1901, of the county court of Butts county, of escape, and sentenced to

twelve months. He escaped in company with several others; afterwards surrendered himself and informed on the others. Has served more than three months, and his pardon is recommended by the judge and other good citizens of the county. Pardon granted July 12, 1902.

Dave Burgess—Convicted at the August term, 1893, of the superior court of Walker county, of murder, and sentenced to life imprisonment. He was convicted on circumstantial evidence, and the judge before whom he was tried says he has doubts as to his guilt, as does also the solicitor that prosecuted him. County officers and many good citizens recommend his pardon. Pardon granted July 12, 1902.

John Reynolds—Convicted at the September term, 1901, of the superior court of Fulton county, of assault and battery, and sentenced to twelve months on the chain-gang. The crime was committed while under the influence of whiskey, and he plead guilty. He has served most of his sentence with good conduct, and his pardon is recommended by the prosecutor and a number of good citizens. Pardon granted July 12, 1902.

Robert Hunter—Convicted at the September term, 1892, of the superior court of Fulton county, of burglary, and sentenced to fifteen years. His term will expire in 1903. He has recently developed consumption, and further confinement likely to prove fatal. Pardon granted July 12, 1902.

Willis Carter—Convicted at the May term, 1898, of the superior court of Muscogee county, of robbery, and sentenced to fifteen years. The evidence was circumstantial, and there is much doubt as to the guilt of Carter. He stoutly maintains his innocence, and his pardon is urged by seven members of the jury, the prosecuting attorney, the solicitor-general, the prosecutor and many good citizens. Pardon granted July 23, 1902.

L. M. Sumner—Convicted at the May term, 1899, of the superior court of Worth county, of voluntary manslaughter, and sentenced to twelve years. He has served more than three years, and his health has become very much impaired. His

pardon is recommended by the judge, grand jury, trial jury, county officers, and many good citizens of Worth and adjoining counties. Pardon granted July 26, 1902.

Wiley Freeman—Convicted at the September term, 1900, of the superior court of Bibb county, of manslaughter, and sentenced to five years in the penitentiary. Was first convicted of murder and sentenced to life imprisonment. He obtained a new trial and was sentenced to five years. He was a man of previous good character, while the deceased is shown to have been a man of very bad character. Since his conviction he received a severe injury, which permanently paralyzed him. His pardon is urged on these grounds. Pardon granted July 30, 1902.

Ernest Jackson—Convicted at the April term, 1902, of the city court of Hall county, of larceny from the house, and sentenced to eight months on the chain-gang. He is a weak-minded negro boy, about eighteen years of age, and the property stolen was only worth about \$1.50. Pardon recommended by the prosecutor and many citizens. Granted August 1, 1902.

Clinton Thomas—Convicted at the December term, 1901, of the superior court of Bulloch county, of the crime of larceny, and sentenced to pay a fine of \$100 and costs, or twelve months on the chain-gang. The property stolen was a pistol of small value, and the prosecutor and a number of citizens ask for his pardon, on the ground that his mind is weak and there is doubt as to whether he intended to steal the pistol. Pardon granted August 2, 1902.

John R. Dominick—Convicted at the spring term, 1895, of the superior court of Bibb county, of the crime of receiving stolen goods, and sentenced to ten years in the penitentiary. He is now over sixty years of age and unable to work. His pardon is urged by the judge and solicitor that tried him, and many hundred citizens of Carroll, Coweta and Walker counties. Pardon granted August 4, 1902.

Emmett Heard—Convicted at the March term, 1902, of the city criminal court of Atlanta, of a misdemeanor, and sentenced to pay a fine of \$50. or twelve months on the chain-

gang. His crime consisted in stealing a cabbage, and he has served over four months. The judge and solicitor advise his release. Pardon granted August 7, 1902.

T. H. Carter—Convicted at the fall term, 1901, of the superior court of Fulton county, of the crime of larceny after trust, and sentenced to two years in the penitentiary. The amount appropriated was small, and he has served more than eight months. Since his conviction his wife has died, leaving three small children dependent on charity, and in need of his support. Pardon granted August 7, 1902.

George Kirk—Convicted at the August term, 1883, of the superior court of Polk county, of the crime of murder, with a recommendation to life imprisonment in the penitentiary. He was convicted on circumstantial evidence, and it has since been shown that one of the most important witnesses against him probably swore falsely. The camp physician certifies that he has developed a case of tuberculosis, and that further confinement will probably prove fatal. Pardon granted August 7, 1902.

George Higginbotham—Convicted at the September term, 1900, of the superior court of Franklin county, and sentenced to pay a fine of \$75, or serve twelve months on the chain-gang, for carrying pistol concealed. He was a boy about eighteen years of age, and was indicted for assault to murder and carrying pistol concealed. He has served out his sentence of two years for assault to murder, and it is thought that he should be relieved of the lesser sentence. Pardon granted August 8, 1902.

Elijah Charlton—Convicted at the April term, 1900, of the superior court of Early county, of the crime of rape, and sentenced to twenty years in the penitentiary. The evidence upon which he was convicted was not wholly satisfactory, and since the conviction reputable witnesses have been found who so discredit the testimony of the witness for the State as to make his guilt extremely doubtful. Pardon granted August 8, 1902.

Joseph Ewalt—Convicted at the July term, 1896, of the superior court of Baldwin county, of murder, and sentenced

to life imprisonment. At the time the crime was committed he was in a drunken condition, and there seems to have been absolutely no malice. Since conviction his health has failed, and his pardon is urged by the solicitor and a large number of citizens, including the jury that tried him. Pardon granted August 12, 1902.

Henry Craig—Convicted at the spring term, 1896, of the superior court of Polk county, of burglary, and sentenced to twenty years in the penitentiary. He has been for many years incurably afflicted with syphilitic rheumatism, and is now unable to work. Pardon granted August 13, 1902.

Willie Akridge—Convicted at the August term, 1902, of the city criminal court of Atlanta, of simple larceny, and sentenced to pay a fine of \$75, or three months on the chain-gang. Defendant is a boy only twelve years of age, and plead guilty to the theft of two pigeons. His previous character good, and pardon urged by the judge and solicitor. Granted August 18, 1902.

#### SENTENCES COMMUTED.

Susie Foster—Convicted at the September term, 1901, of the superior court of Coweta county, of the offense of selling whiskey illegally, and sentenced to a fine of \$400, or twelve months. She is shown to have four minor children whose ages range from seventeen months to thirteen years, who are wholly dependent on her. Commutation of sentence to a fine of \$200, or twelve months, recommended by the judge, solicitor, ordinary, sheriff and clerk of the court. Granted October 2, 1901.

Oscar McCoy—Convicted at the August term, 1901, of the city criminal court of Atlanta, of carrying concealed weapons, and pointing a pistol at another, and sentenced to a fine of \$100, or twelve months in each case. The judge and solicitor recommend that the punishment be commuted to one sentence, inasmuch as both offenses were committed at the same time. Sentence commuted to fine of \$100, or twelve months, October 3, 1901.

William Anderson—Convicted at the March term, 1899, of the superior court of Newton county, of assault with intent to murder, and sentenced to five years. The crime was committed without malice, and in the encounter the defendant received two severe wounds, from which he is now a sufferer. He has served nearly three years imprisonment, and his sentence is recommended to three years actual service by all the jurors who tried him, the officials of Newton county, the officials of the city of Covington, and many citizens of the county. Granted November 8, 1901.

George Groover—Convicted at the December term, 1896, of the superior court of Chatham county, of voluntary manslaughter, and sentenced to fifteen years. His pardon was recommended by the grand jury, trial jury, judge, solicitor, and a large number of citizens. Commutation of sentence to six years imprisonment, granted November 8, 1901.

Henry Jackson—Convicted at the June term, 1901, of the superior court of Fulton county, of larceny from the house, and sentenced to twelve months. Sentence commuted to present service, and a fine of \$50, on recommendation of the solicitor-general. Granted November 12, 1901.

Albert Waller—Convicted at the March term, 1901, of the superior court of Bibb county, of the crime of burglary, and sentenced to twelve months. The articles stolen were of small value, and he has served the greater portion of his sentence. Sentence commuted to present service, November 8, 1901.

Peter Harris—Convicted at the February term, 1901, of the superior court of Walton county, of murder, and sentenced to be hanged. The evidence on which he was convicted was very conflicting, and it has been shown that at the time of the killing deceased had a pistol in his hand, and the defendant claimed to have acted in self-defence. Witnesses for the State were impeached by several witnesses for the defendant. His sentence commuted to life imprisonment, November 19, 1901.

Murray Whitley—Convicted at the July term, 1899, of the superior court of Hall county, of burglary, and sentenced to five years. He is shown to be weak-minded and of a low or-

der of intellect. His pardon recommended by the judge, solicitor, county officials and many good citizens. Sentence commuted to three years, December 9, 1901.

Siras Fagan—Convicted at the November term, 1901, of the superior court of Macon county, of murder, and sentenced to be hanged. It has been shown that the deceased attempted to seduce the wife of the defendant. Defendant found a letter deceased had written his wife, and he immediately procured his gun and shot deceased. Clemency is recommended by the judge and solicitor, the grand jury and trial jury, county officials and many hundred good citizens. Sentence commuted to life imprisonment, December 9, 1901.

Bud Dover—Convicted at the September term, 1899, of the superior court of Habersham county, of voluntary manslaughter, and sentenced to fifteen years. Defendant was a member of the sheriff's posse, and claimed that defendant was resisting arrest at the time of the killing. Clemency is urged by the grand jury, trial jury, county officers and many citizens. Sentence commuted to two years, December 26, 1901.

Sam Rice—Convicted at the December term, 1901, of the city criminal court of Atlanta, of the crime of stabbing, and sentenced to pay a fine of \$50, or serve six months on the public works. The stabbing was done in a fight brought on by the person stabbed. Defendant's previous character was good, and in view of the serious illness of his wife, the judge and solicitor that tried him urge his pardon. Sentence commuted to a fine of \$25, including costs, January 11, 1902.

John Moss—Convicted at the November term, 1901, of the city criminal court of Atlanta, of the offense of receiving stolen goods, and sentenced to pay a fine of \$50, or six months on the chain-gang. He only received a few postage stamps, which he claimed were given to him by the thief. He has served two months, and his previous character was good. Clemency recommended by the judge and solicitor who tried him. Sentence commuted to a fine of \$25, including costs, January 11, 1902.

George Wilcox—Convicted at the October term, 1901, of the superior court of Coffee county, of rape, and sentenced

to be hanged. The judge and solicitor who tried him urge that his sentence be commuted, which recommendation is joined in by the county officers and many good citizens of Coffee county. Sentence commuted to twenty years, January 25, 1902.

Cap Oliver—Convicted at the September term, 1895, of the superior court of Dooly county, of the crime of voluntary manslaughter, and sentenced to twenty years. The deceased was the aggressor, and was a bad character. Defendant was a peaceable, law-abiding negro previous to this difficulty. Has served about seven years with good conduct. The judge and solicitor who tried him recommend clemency. Sentence commuted to ten years, January 27, 1902.

M. F. Sullivan—Convicted at the December term, 1896, of the superior court of Chatham county, of the crime of manslaughter, and sentenced to fifteen years in the penitentiary. The killing occurred in a fight, in which several participated, and the deceased is shown to have been a man of bad character. Clemency is urged by the grand jury, trial jury, county officers and solicitor-general. Sentence commuted to six years, January 28, 1902.

Simon J. O'Neil—Convicted at the December term, 1896, of the superior court of Chatham county, of the crime of manslaughter, and sentenced to fifteen years in the penitentiary. He participated with M. F. Sullivan in the case above mentioned, and clemency is urged upon the same grounds. Sentence commuted to six years, January 28, 1902.

Henry Brooks—Convicted at the spring term, 1901, of the superior court of Chatham county, of the crime of murder, and sentenced to be hanged. Seventy members of the Savannah bar, eleven members of the jury, and many citizens urge clemency on the ground of doubt as to defendant's guilt. Sentence commuted to life imprisonment, February 7, 1902.

D. T. Hood—Convicted at the August term, 1901, of the superior court of Spalding county, of selling whiskey illegally, and sentenced to twelve months, or a fine of \$150. He was convicted in the recorder's court of Griffin, for the same offense, and fined \$100, which he paid. On account of pov-

erty he was unable to pay the fine imposed by the superior court. Since conviction he has been an invalid and unable to do any work. Sentence commuted to a fine of \$15, February 17, 1902.

Isadore Minder—Convicted at the spring term, 1901, of the superior court of Bibb county, of murder, and sentenced to be hanged. The Supreme Court, in reviewing this case, intimated that a verdict of life imprisonment would have been more proper under the circumstances. The trial judge and solicitor urge this clemency. Sentence commuted to life imprisonment, February 26, 1902.

Sarah Brown—Convicted at the December term, 1901, of the city criminal court of Atlanta, of the crime of larceny from the person, and sentenced to pay a fine of \$100 and costs, or twelve months. The judge and solicitor recommend commutation to six months in jail. Granted March 17, 1902.

Mills Boston—Convicted at the November term, 1894, of the superior court of Bibb county, of the crime of murder, and sentenced to life imprisonment. Defendant shot his wife in a row in which several participated. He claimed it was accidental, and immediately gave himself up to the officer. Commutation recommended by the judge and solicitor, jurors and many good citizens. Sentence commuted to ten years actual service, April 11, 1902.

J. L. Barry, Jr.—Convicted at the spring term, 1901, of the superior court of Fulton county, of the crime of shooting at another, and sentenced to two years. The jury that convicted him recommended that he be punished as for a misdemeanor, but at the request of the defendant he was given two years in the penitentiary in preference to one year in the chain-gang. Sentence commuted to one year, April 30, 1902.

Willis Pulliam—Convicted at the November term, 1901, of the superior court of Bartow county, of the crime of gaming, and sentenced to nine months. He served over five months of his sentence, and it was thought his punishment had been sufficient. Sentence commuted to six months actual service, May 5, 1902.

Mrs. H. D. Bertram—Convicted at the November term, 1901, of the superior court of Fulton county, of the crime of keeping a lewd house, and sentenced to pay a fine of \$300, and six months in jail, or as an alternative punishment, to serve six months on the chain-gang. The camp physician certifies that she is more than five months pregnant, and further confinement will imperil her life. Sentence commuted to a fine of \$50, May 8, 1902.

Calvin Beach—Convicted at the November term, 1901, of the superior court of Houston county, of the crime of murder, and sentenced to be hanged. The main witness against him has been shown to be a woman of the vilest character, and the judge and solicitor that tried him do not think that the death penalty should be inflicted under the circumstances. Sentence commuted to life imprisonment, May 22, 1902.

Andrew Jackson—Convicted at the March term, 1902, of the superior court of Quitman county, of the crime of murder, and sentenced to be hanged. There seems to have been no intention on the part of the defendant to commit murder, and commutation is urged by the trial jurors, county officers, and four-fifths of the qualified voters of the county. Sentence commuted to life imprisonment, May 28, 1902.

E. G. Howard—Convicted at the January term, 1902, of the superior court of Bibb county, of the crime of murder, and sentenced to be hanged. Evidence conflicting. Defendant was a man of previous good character, while deceased was a frequent violator of the law, and a man of bad character. Sentence commuted to life imprisonment, June 5, 1902.

Alfred Moye—Convicted at the spring term, 1902, of the superior court of Emanuel county, of the crime of murder, and sentenced to be hanged. Evidence has been discovered since the trial which creates considerable doubt as to the guilt of the defendant. Clemency is recommended by the trial judge, county officers, and many citizens. Sentence commuted to life imprisonment, June 12, 1902.

D. C. Loeb—Convicted at the February term, 1902, of the city court of Elberton, of the crime of soliciting orders for the sale of whiskey in Elbert county, and sentenced to pay a

fine of \$900, or twelve months on the chain-gang. He was a traveling salesman for a business firm; is a poor man and unable to pay the fine. Clemency is urged by many of the citizens of Elbert and Fulton counties. Sentence commuted to a fine of \$450, or twelve months on the chain-gang, June 13, 1902.

Henry S. Manning—Convicted at the May term, 1897, of the superior court of Wayne county, of the crime of voluntary manslaughter, and sentenced to ten years. The trial jury recommended that the lowest penalty be given him. Clemency urged by the judge and solicitor, county officials and many citizens. Sentence commuted to seven years, June 27, 1902.

Bowdre Bell—Convicted at the spring term, 1897, of the superior court of Walton county, of voluntary manslaughter, and sentenced to ten years. Defendant was a boy only eighteen years of age, who had previously borne a good reputation. The evidence was conflicting. Clemency is urged by the solicitor, prosecutor, county officers, and many citizens. Sentence commuted to seven years, July 11, 1902.

J. W. Griffin—Convicted at the spring term, 1902, of the superior court of Pike county, of the crime of selling whiskey illegally, and sentenced to pay a fine of \$250, or twelve months on the chain-gang. He was only technically guilty, and there seems to have been no intention to violate the law. Clemency recommended by the judge and solicitor, the grand jury, the trial jury, and many good citizens. Sentence commuted to a fine of \$100, including costs, July 12, 1902.

George Ponder—Convicted in the city court of Brunswick, of the crime of keeping a lewd house, and sentenced to pay a fine of \$125, and nine months on the chain-gang. Several others were tried at the same time for the same offense, and were sentenced to pay a fine of \$250, or serve nine months on the chain-gang. This defendant's crime was no greater than the others, while his character seems to have been much better. Sentence commuted to a fine of \$250, or nine months on the chain-gang, July 30, 1902.

Jake Summerour—Convicted at the August term, 1901, of the superior court of Forsyth county, of the crime of burglary,

and sentenced to three years. The evidence was doubtful, and the jury recommended that he be punished as for a misdemeanor. Clemency urged by the grand jury, trial jury, the prosecutor, the judge, and many citizens. Sentence commuted to two years, August 2, 1902.

Dave Wright—Convicted at the January term, 1902, of the city court of Butts county, of shooting on the public highway, and sentenced to pay a fine of \$100, or twelve months. Commutation to payment of a fine of \$40, or twelve months, is recommended by the judge, prosecutor, county officers, and many good citizens. Granted August 4, 1902.

Jim Martin—Convicted at the March term, 1901, of the superior court of Heard county, of the crime of murder, and sentenced to life imprisonment. Commutation of sentence to three years is urged by the judge and solicitor, county officers and many citizens. Granted August 8, 1902.

Thomas J. Hunter—Convicted at the spring term, 1900, of the superior court of Fulton county, of embezzlement, and sentenced to five years. Sentence commuted to three years on recommendation of the solicitor-general, the trial jury, the President of the State Senate, the Speaker of the House of Representatives, most of the county officers, the mayor of Atlanta, and the officers of the following banks: The Lowry National, the Fourth National, Third National, Atlanta National, Maddox-Rucker Banking Co., the Trust Company of Georgia, representatives of the *Atlanta Constitution* and *Atlanta Journal*, and many other prominent citizens. Granted August 8, 1902.

## RESPITES.

Pete Harris—Convicted at the February term, 1901, of the superior court of Walton county, of murder, and sentenced to be hanged June 28, 1901. Respite granted until November 22, 1901, in order that the Supreme Court might have sufficient time to pass upon a motion for a new trial. Respite granted October 22, 1901.

Henry Brooks—Convicted at the March term, 1901, of the superior court of Chatham county, of murder, and sentenced

to be hanged on the 17th day of January 1902. Considerable doubt as to the guilt of the said Brooks, and respite granted until 21st day of February, 1902, in order that the Executive might have sufficient time in which to consider an application for commutation of sentence. Respite granted January 17, 1902.

John Henry Peavy—Convicted of the crime of murder, at the fall term, 1901, of the superior court of Dooly county, and sentenced to be hanged on the 18th day of February, 1902. Respite granted until the 21st day of March, 1902, in order that the evidence of the said Peavy might be obtained in a case pending in the superior court of Dooly county. Respite granted February 17, 1902.

Andrew Jackson—Convicted at the March term, 1902, of the superior court of Quitman county, of murder, and sentenced to be hanged April 15, 1902. Respite granted until May 16, 1902, in order that the Pardon Board might have sufficient time to consider an application for commutation of sentence. Respite granted April 10, 1902.

Second respite granted the said Jackson on May 13, 1902, for the same reasons stated in the first.

Alfred Moye—Convicted at the April term, 1902, of the superior court of Emanuel county, of the crime of murder, and sentenced to be hanged May 15, 1902. Respite granted until the 13th day of June, 1902, in order that the Board of Pardons might have sufficient time in which to consider an application for commutation of sentence. Respite granted May 13, 1902.

Two hundred copies ordered printed for Senate.

The following joint resolution was read and adopted:

By Mr. Mathews—

A resolution convening the Senate and House in joint session at 11 o'clock to-day, to count the vote and declare the result in the late State election.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President.*

The House has read and concurred in the following joint resolution of the Senate, to wit:

A resolution to convene the House and Senate in joint session to-day at 11 o'clock, to count and declare the result in State elections.

The following resolution was read and adopted:

By Mr. Sullivan—

A resolution authorizing the Secretary to open the door in the cloak-room, and appoint a doorkeeper for same.

On motion, the Senate took a recess.

Senate was again called to order.

The hour of 11 o'clock having arrived, the Senate repaired to the hall of the House of Representatives, to open the returns and declare the result for the election of Governor and other State house officers.

The President took the chair and called the General Assembly to order.

It was moved and seconded that the presiding officer appoint tellers to open, count and declare the result in the late election for Governor, one from the Senate and two from the House.

The motion prevailed, and the President appointed on the part of the Senate, Senator McMichael, and on the part of the House, Messrs. Holder and Davis.

The tellers appointed to ascertain and declare the result of the election for Governor, submit the following report:

*Mr President.*

As tellers, we have performed the duty assigned to us, and beg to report that upon the consolidation of the vote of the counties it appears that Hon. J. M. Terrell has received 81,344 vote, and Jos. K. Hines has received 4,747 votes. It appears that Hon. Jos. M. Terrell, of Meriwether county, has received majority of the votes polled.

Very respectfully,

E. H. McMICHAEL, Chairman.

JNO. N. HOLDER,

CHAS. L. DAVIS.

The foregoing report was adopted and the President declared the Hon. J. M. Terrell, of Meriwether county, duly elected Governor for the ensuing two years.

The following is the consolidated vote of State house and other officers:

For Secretary of State, Philip Cook	82,542
For Secretary of State, B. F. Lee	5,148
For Comptroller-General, W. A. Wright	82,182
For Comptroller-General, W. W. Wilson	5,533
For Treasurer, R. E. Park	82,037
For Treasurer, J. H. Taylor	5,508
For Attorney-General, Jno. C. Hart	82,137
For Attorney-General, P. H. Lery	5,484
For Commissioner of Agriculture, O. B. Stevens.	82,114
For Commissioner of Agriculture, W. L. Peek.	5,476
For School Commissioner, W. B. Merritt	82,038
For School Commissioner, H. S. Zellers	5,425
For Prison Commissioner, Thos. Eason	82,359

Associate Justice Supreme Court, Samuel Lumpkin.	.82,385
Associate Justice Supreme Court, A. J. Cobb	.82,110
Associate Justice Supreme Court, unexpired term, J. S. Candler	.45,626
Unexpired term, J. P. Ross	.23,306
Scattering	.2,278
Judge Sup. Court, Atlantic Circuit, Paul Seabrook.	70,776
Judge Sup. Court, Augusta Circuit, W. T. Gary	69,372
Judge Sup. Court, Brunswick Circuit, T. A. Parker	69,210
Judge Superior Court, Eastern Circuit, Pope Barrow	69,377
Judge Superior Court, Flynt Circuit, E. J. Regan.	69,344
Judge Sup. Court, Macon Circuit, W. H. Felton, Jr.	69,807
Judge Superior Court, Middle Circuit, B. D. Evans.	69,988
Judge Sup. Court, Northeastern Circuit, J. J. Kimsey	70,220
Judge Sup. Court, Ocmulgee Circuit, H. G. Lewis	69,686
Judge Sup. Court, Pataula Circuit, H. C. Sheffield.	69,885
Judge Superior Court, Rome Circuit, W. M. Henry	71,111
Judge Sup. Court, Southern Circuit, R. G. Mitchell.	69,320
Judge Sup. Court, Tallapoosa Circuit, A. L. Bartlett.	71,365
Judge Superior Court, Western Circuit, R. B. Russell.	69,909
Solicitor-General, Atlantic Circuit, L. Kenan .	70,752
Solicitor-General, Blue Ridge Circuit, B. F. Simpson.	70,381
Solicitor-General, Macon Circuit, Wm. Brunson	69,924
Solicitor-Gen., Northeastern Circuit, W. A. Charters.	70,302
Solicitor-General, Ocmulgee Circuit, J. E. Pottle	69,893
Solicitor-General, Tallapoosa Circuit, W. K. Fielder.	71,474

The business for which the General Assembly had convened in joint session having been completed, the same was dissolved by motion of Senator Comas. Whereupon the Senate returned to its chamber and was called to order by the President.

On motion, when the Senate adjourns to-day, it will stand adjourned until to-morrow at 11 o'clock.

Leave of absence was granted Senators Jordan and Sweat.

On motion, the Senate adjourned until to-morrow at 11 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA,

Friday, October 24, 1902.

The Senate met pursuant to adjournment at 11 o'clock ;  
was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered  
to their names :

Allen,	Hudson,	Reid.
Atkinson,	Lee.	Roberts,
Christie,	Ledford,	Rountree,
Clark,	Lewis,	Skelton,
Clements,	Mathews,	Snead,
Comas,	McClure,	Stevens,
Dodd,	McLean,	Sullivan,
Davis,	McMichael,	Symons,
Duncan of 10th,	Merritt,	Taylor,
Duncan of 36th,	Middlebrooks,	Tisinger,
Golden,	Moore,	Van Buren,
Harrell,	Park,	Worsham,
Hightower,	Perry,	Mr. President.
Hopkins,		

Those absent were Messrs.—

Crumbley,	Sweat,	Turner,
Jordan,		

The Journal of yesterday was read and approved.

The following message was received from his Excellency,  
the Governor, through his Secretary, Mr. Hitch, to wit :

*Mr. President:*

I am directed by his Excellency, the Governor, to deliver  
to the Senate a sealed communication, to which he respect-

fully invites the consideration of your honorable body in executive session.

The following Senate bills were read first time:

By Mr. Snead—

A bill to amend section 1570 of the Code, to authorize farmers to purchase certain ingredients for fertilizers.

Referred to Committee on Agriculture.

By Mr. Comas—

A bill to require the advertisement of property for sale in the same papers as the sheriff's sales are advertised when the same has been given to secure a debt.

Referred to the General Judiciary Committee.

By Mr. Comas—

A bill to repeal section 397, volume 3 of the Code.

Referred to the Special Judiciary Committee.

By Mr. Davis—

A bill to amend paragraph 2, section 11 of the Constitution of this State, exempting certain property from taxation.

Referred to the Constitutional Amendments Committee.

On motion of Senator Davis, there will be a standing committee of the Senate on Constitution and Constitutional Amendments.

At 11:30 o'clock the Senate went into executive session.

The following resolution was read and adopted:

By Mr. Van Buren—

A resolution authorizing the Messenger of the Senate to open the rear door of his room, and appoint a doorkeeper for the same.

The following is the report of the committee appointed to arrange for the inaugural ceremonies:

*Mr. President:*

The joint committee appointed to arrange for the inauguration of the Governor-elect, begs to report that the inauguration of Hon. Jos. M. Terrell, as Governor of Georgia for the ensuing two years, will take place to-morrow, October 25th, at 12 m., before the General Assembly in joint session, and that by request of the Governor the joint session will be opened by prayer by the Rev. Jno. E. White of Atlanta.

SULLIVAN, 18th District, Chairman.

Oct. 24, 1902.

The report was adopted.

Leave of absence was granted Senators Duncan of 10th; Hudson, 13th, and Turner.

On motion, the Senate adjourned until to-morrow at 11:45 o'clock.

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SENATE CHAMBER, ATLANTA, GEORGIA,

Saturday, October 25, 1902.

The Senate met pursuant to adjournment at 11:45 o'clock; was called to order by the President.

Prayer was offered by Senator Atkinson.

Upon motion of Senator Comas the roll-call was dispensed with.

The Journal of yesterday was read and approved.

On motion, when the Senate adjourns to-day, it will stand adjourned until Monday at 12 o'clock.

Leave of absence was granted Senators, Moore, Lee, Worsham, Hightower.

The following Senate bills were read first time:

By Mr. Comas—

A bill to amend section 982 of the Code, so as to make the city of Baxley one of the State depositories.

Referred to the Committee on Banks.

By Mr. Harrell—

A bill to amend section 4313, volume 2 of the Code.

Referred to the General Judiciary Committee.

The hour of 12 o'clock m., having arrived, the Senate repaired to the Hall of the House of Representatives for the purpose of inaugurating the Governor-elect.

The President took the chair and called the General Assembly to order. By direction of the President the joint resolution was read convening the two houses in joint session.

The presence of the Governor-elect at the door of the Representative Hall was announced by the doorkeeper, who was instructed to admit him and his attendants.

The Governor-elect, with the Governor, preceded by joint committee and followed by many distinguished officers and citizens, was received by the General Assembly.

The Governor-elect, Hon. Joseph M. Terrell, was con-

ducted to the Speaker's desk, and was introduced by the Hon. Clarke Howell, President of the Senate. He then proceeded to deliver his inaugural address, at the close of which he signified his readiness to take the oath of office. The same was administered by the Hon. T. J. Simmons, Chief Justice Supreme Court.

Ex-Governor, Allen D. Candler, with appropriate remarks, then delivered to his Excellency, Governor Joseph M. Terrell, the great seal of the State, by whom it was in turn delivered to the keeping of the Hon. Philip Cook, Secretary of State.

The original ceremonies being over the joint session was dissolved on motion of Senator Harrell.

The Senate returned to its Chamber and was called to order by the President.

On motion of Senator Sullivan, the Senate went into executive session.

Leave of absence was granted Senators Tisinger and Taylor.

On motion, the Senate adjourned.

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SENATE CHAMBER, ATLANTA, GEORGIA,

Monday, October 27, 1902.

The Senate met pursuant to adjournment at 12 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Atkinson,	Hopkins,	Snead,
Christie,	Ledford,	Stevens,
Clark,	Lewis,	Sullivan,
Clements,	Mathews,	Sweat,
Comas,	McClure,	Symons,
Dodd,	McMichael,	Taylor,
Davis,	Merritt,	Turner,
Duncan of 36th,	Middlebrooks,	Van Buren,
Golden,	Roberts,	Worsham,
Harrell,	Rountree,	Mr. President,
Hightower,	Skelton,	

Those absent were Messrs.—

Allen,	Jordan,	Park,
Crumbley,	Lee,	Perry,
Duncan of 10th,	McLean,	Reid,
Hudson,	Moore,	Tisinger,

The Journal of Saturday was read and approved.

The following resolution was read and adopted:

By Mr. Dodd—

A resolution appointing a committee of five from the Senate, to attend the funeral of Hon. W. B. Berry of Coweta county.

Committee is Senators Dodd, Duncan, 36th, Taylor, Mathews, Park.

Privileges of the floor was extended Hon. E. C. Kingsbury during his stay in the city.

Leave of absence was granted Senators Middlebrooks, McLain and Davis.

On motion, the Senate adjourned until to-morrow morning at 12 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA,

Tuesday, October 28, 1902.

The Senate met pursuant to adjournment at 12 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon motion of Senator Middlebrooks, the roll-call was dispensed with.

The Journal of yesterday was read and approved.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has adopted the following joint resolutions of the House, in which the concurrence of the Senate is asked, to wit:

A resolution that the General Assembly attend the State Fair at Valdosta, to be in attendance for a time including October 30th, and that October 30th be declare *dies non*.

Also, a resolution to accept the invitation to attend laying corner-stone Winnie Davis Memorial Hall, November 1, 1902, and that said day be *dies non*.

Also, a resolution providing for committee to investigate present lease system and recommend future disposition of convicts.

The following Senate bills were read first time:

By Mr. Sullivan—

A bill to define anarchy and provide punishment for same.

Referred to the General Judiciary Committee.

By Mr. Sullivan—

A bill to amend paragraph 2, section 2 of article 7 of the Constitution, relative to the power of taxation by the General Assembly.

Referred to the General Judiciary Committee.

By Mr. Tisinger—

A bill to amend section 691, volume 3 of the Code.

Referred to the General Judiciary Committee.

The invitation from the Young Men's Democratic League, of Atlanta, inviting the Senate to attend a democratic rally in Atlanta, October 31, at 7:30 p.m., was accepted.

The following House joint resolutions were read and concurred in:

By Mr. Mills—

A resolution accepting the invitation to attend the State Fair at Valdosta, and that the day last be declared *dies non*.

By Mr. George—

Also, a resolution accepting the invitation to be present at the laying of the corner-stone of the Winnie Davis Memorial Hall, at Athens, on November 1st, and that said day be declared *dies non*.

By Mr. Felder—

Also, a resolution providing for committee to investigate present lease system, and recommend future disposition of convicts.

Leave of absence was granted Senators Hopkins and Perry.

On motion, the Senate adjourned until to-morrow morning at 10:30 o'clock.

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SENATE CHAMBER, ATLANTA, GEORGIA,

Wednesday, October 29, 1902.

The Senate met pursuant to adjournment at 10:30 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Allen,	Jordan,	Rountree,
Atkinson,	Lee,	Skelton,
Christie,	Ledford,	Snead,
Clark,	Lewis,	Stevens,
Clements,	Mathews,	Sullivan,
Comas,	McClure,	Sweat,
Dodd,	McLean,	Symons,
Duncan of 10th,	McMichael,	Taylor,
Duncan of 36th,	Merritt,	Tisinger,
Golden,	Moore,	Turner,
Hightower,	Park,	Van Buren,
Hopkins,	Reid,	Worsham,
Hudson,	Roberts,	Mr. President,

Those absent were Messrs.—

Crumbley,  
Davis,

Harrell,  
Middlebrooks,

Perry,

Mr. Hopkins moved to reconsider the action of the Senate in concurring in the House resolution to visit the State Fair at Valdosta, which motion prevailed, and on motion, the resolution was tabled.

The Journal was approved.

The President appointed on the committee to consider the convict lease system, Senators Lee and McMichael.

The following Senate bills were read first time:

By Mr. Christie—

A bill to make it lawful to make insurance companies and other persons who may be indemnifying the defendant, party defendant, and jointly liable, and for other purpose.

Referred to the General Judiciary Committee.

By Mr. Lee—

A bill ceding certain lands in Walker and Catoosa counties to the United States Government for park purposes.

Referred to the General Judiciary Committee.

By Mr. Lee—

A bill to amend the charter of the town of Flintstone, Walker county, Georgia.

Referred to the Educational Committee.

By Mr. Lee—

A bill to amend section 982 of the Code, by adding the city of LaFayette to the list of State depositories.

Referred to the Committee on Banks.

By Mr. Lee—

A bill to repeal the Act authorizing the Governor to appoint agent to look after the State's property in Georgia and Tennessee, along the lines of the W. & A. R. R.

Referred to the Committee on W & A. R. R.

By Mr. Van Buren—

A bill to amend the Act reviving the office of State Geologist.

Referred to the Committee on Mines and Mining.

By Mr. McMichael—

A bill to repeal the Act creating the county court of Marion county.

Referred to the Special Judiciary Committee.

The following House resolution was taken from the table:

By Mr. Mills—

A resolution accepting the invitation to visit the State Fair at Valdosta on October 30th, and that the day last named be declared *dies non*.

On motion of Mr. Hopkins, this resolution was non-concurred in.

On motion, the Senate adjourned until to-morrow morning at 10:30 o'clock.

## SENATE CHAMBER, ATLANTA, GEORGIA,

Thursday, October 30, 1902.

The Senate met pursuant to adjournment at 10:30 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Atkinson,	Lee,	Rountree,
Christie,	Ledford,	Skelton,
Clark,	Lewis,	Stevens,
Clements,	Mathews,	Sullivan,
Comas,	McClure,	Sweat,
Davis,	McLean,	Symons,
Duncan of 36th,	McMichael,	Taylor,
Harrell,	Merritt,	Tisinger,
Hudson,	Middlebrooks,	Worsham,
Jordan,	Roberts,	Mr. President.

Those absent were Messrs.—

Allen,	Hightower,	Reid,
Crumbley,	Hopkins,	Snead,
Dodd,	Moore,	Turner,
Duncan of 10th,	Park,	Van Buren,
Golden,	Perry,	

The Journal of yesterday was read and approved.

By unanimous consent the President appointed a committee, to be known as the Committee on State University.

The following is the list of standing committees:

## AGRICULTURE.

JORDAN, Chairman.

HUDSON, Vice.

Worsham,  
Van Buren,  
Stevens,  
Moore,  
McLean,  
Crumbley  
Perry,

Roberts,  
Clements,  
Clark,  
Davis,  
Christie,  
Atkinson,  
Allen.

## AUDITING.

STEVENS, Chairman.

Turner,

Crumbley.

## APPROPRIATIONS.

HOPKINS, Chairman.

TURNER, Vice.

Jordan,  
Atkinson,  
Comas,  
McLean,  
Lee,  
Christie,  
Davis,  
Hightower,  
Harrell,

Tisinger,  
Mathews,  
Park,  
Sullivan,  
Duncan (36th,  
Van Buren,  
Skelton,  
Snead,  
Crumbley.

ACADEMY OF THE BLIND.

WORSHAM, Chairman.

Park,	Symons,
Crumbley,	Van Buren,
McClure,	Jordan,
Clark,	Duncan (36th).
Moore,	

BANKS.

CHRISTIE, Chairman.

Comas	Harrell,
Taylor,	Skelton,
Duncan (36th),	Turner.

CORPORATIONS.

MIDDLEBROOKS, Chairman.

Symons,	Lewis,
Hudson,	Harrell,
Van Buren,	Jordan,
Hightower,	Christie.

CONSTITUTIONAL AMENDMENTS.

PERRY, Chairman.

Hopkins,	Hudson,
Davis,	Skelton,
Middlebrooks,	Taylor,
Merritt,	Mathews.

## DEAF AND DUMB ASYLUM.

TAYLOR, Chairman.

Reid,	Davis,
Golden,	Comas,
Stevens,	Allen,
Hightower,	Harrell,
Lee,	Duncan (36th).

## ENGROSSING.

DUNCAN (10th), Chairman.

Golden,	McMichael,
Ledford,	Worsham.
Skelton,	

## ENROLLMENT.

SYMONS, Chairman.

Allen,	Comas,
Park,	Dodd.
Sweat,	

## EDUCATION AND PUBLIC SCHOOLS.

LEDFORD, Chairman.

McMICHAEL, Vice.

Park,	Reid,
Stevens,	Worsham,
Dodd,	Taylor,
Atkinson,	Comas,
Duncan (10th)	Hudson,
Mathews,	Merritt,
Skelton,	Symons,
Tisinger,	Van Buren.

FINANCE.

DAVIS, Chairman.

TURNER, Vice.

Stevens,	Rountree,
Symons,	Hightower,
Hudson,	Duncan, (10th)
Worsham,	Moore,
Ledford,	Perry,
Duncan (36th),	McClure,
Christie,	Allen,
Harrell,	Middlebrooks.
Lewis,	

HYGIENE AND SANITATION.

COMAS, Chairman.

Duncan (10th),	Comas,
Golden,	Crumbley,
McLean.	

IMMIGRATION AND LABOR.

DODD, Chairman.

Clark,	Taylor,
Golden,	Perry,
Hightower,	Sullivan,
Lewis,	Park,
Mathews,	Worsham,
Snead,	McMichael.
Symons,	

## JOURNAL.

CLEMENTS, Chairman.

Ledford,  
Atkinson,Sweat,  
McLean.

## JUDICIARY—GENERAL.

SULLIVAN, Chairman.

PERRY, Vice.

Davis,  
Hopkins,  
Middlebrooks,  
Hudson,  
Snead,  
Taylor,  
Dodd,Park,  
Ledford,  
Merritt,  
Mathews,  
Lewis,  
Skelton,  
Tisinger.

## JUDICIARY—SPECIAL.

TISINGER, Chairman.

Rountree,  
Lewis,  
Sweat,  
Merritt,  
Skelton,  
Hudson,  
Dodd,Reid,  
McMichael,  
Ledford,  
Park,  
Turner,  
Snead.

## MANUFACTURES.

SKELTON, Chairman.

Crumbley,  
McMichael,  
Moore,  
Worsham,Middlebrooks,  
Duncan (36th),  
Jordan.

## MILITARY

MERRITT, Chairman.

Symons,	Moore,
McMichael,	Sullivan,
Worsham,	Turner.

## MINES AND MINING.

McCLURE, Chairman.

Ledford,	Golden,
Taylor,	Allen.

## PENITENTIARY

LEE, Chairman.

SNEAD, Vice.

Atkinson,	McMichael,
Hudson,	Moore,
McLean,	Sweat,
Roberts,	Mathews,
Comas,	McClure,
Van Buren,	Middlebrooks,
Merritt,	Allen,
Clements,	Duncan (10th),
Clark,	Reid.
Turner,	

## PUBLIC ROADS AND INTERNAL IMPROVEMENTS.

TURNER, Chairman.

Roberts,	Christie,
Clark,	Rountree.
Allen,	

## PENSIONS.

HUDSON, Chairman.

McLean,  
Lewis,  
Christie,  
Dodd,Lee,  
McClure,  
Clark.

## PRIVILEGES AND ELECTIONS.

CRUMBLEY, Chairman.

Allen,

Roberts.

## PUBLIC LIBRARY.

REID, Chairman.

McClure,

Sweat.

## PETITIONS.

MCLEAN, Chairman.

Comas,

Golden.

## PRIVILEGES OF FLOOR.

ATKINSON, Chairman.

Stevens,

Clark.

## PUBLIC PRINTING.

LEWIS, Chairman.

Atkinson,

Ledford.

PUBLIC PROPERTY, ETC.

SWEAT, Chairman.

Duncan (10th),	Rountree.
Moore,	

RULES.

MR. PRESIDENT, Chairman.

Davis,	Harrell,
Hopkins,	Hudson,
Mathews,	Sullivan,
Van Buren.	

RAILROADS.

MATHEWS, Chairman.

McMichael,	Harrell,
Taylor,	Hightower,
Stevens,	Hopkins,
Atkinson,	Sullivan,
Dodd,	Middlebrooks,
Moore,	Skelton,
Sweat,	Clark,
Lee,	Perry.
Davis,	

STATE SANATORIUM

VAN BUREN, Chairman.

DUNCAN (10th), Vice.

Snead,	Mathews,
Symons,	Merritt,
Sweat,	Park,
Duncan, (36th),	McLean,
Reid,	Comas,
Roberts,	Worsham,
Clements,	Harrell,
Crumbley,	Jordan.
Golden,	

## STATE OF THE REPUBLIC.

SNEAD, Chairman.

Golden,	Sullivan,
Dodd,	Ledford,
Reid,	Allen.

## TEMPERANCE.

DUNCAN of 36th, Chairman.

Comas,	Park,
Sweat,	Lee,
Duncan (10th),	Golden,
Sullivan,	Atkinson,
Van Buren,	Clements,
Tisinger,	Davis,
Rountree,	Snead.

## UNIVERSITY OF GEORGIA.

McMICHAEL, Chairman.

Atkinson,	Merritt,
Lee,	Stevens,
Mathews,	Middlebrooks,
Park,	Turner.

## WESTERN AND ATLANTIC RAILROAD.

PARK, Chairman.

Hightower,	Taylor,
Skelton,	Symons,
Turner,	McClure.

The following Senate bills were read first time:

By Mr. McMichael—

A bill to alter and amend article 8, section 4, paragraph 1 of the Constitution.

By unanimous consent, this bill will be referred to the Committee on Education first, and then to the Committee on Constitutional Amendments.

By Mr. Sullivan—

A bill to amend paragraph 2, section 2 of article 7 of the Constitution, which relates to the power of taxation.

Referred to the General Judiciary Committee.

By Mr. Davis—

A bill to provide for the examination of private banks by the State bank examiner.

Referred to the Committee on Banks.

On motion, when the Senate adjourns to-day, it will stand adjourned until Monday morning at 11 o'clock.

The following Senate resolutions were read first time:

By Mr. Harrell—

A joint resolution dividing the school fund raised by taxation in this State between the white and colored children thereof.

Referred to the Finance Committee.

By Mr. Harrell—

A joint resolution directing that the assessment on all tax-

able property of this State for each of the fiscal years of 1902 and 1903, shall not exceed 3 1-2 mills for all purposes.

Referred to the Finance Committee.

Leave of absence was granted Senators Christie, Merrill and Duncan of 10th.

On motion, the Senate adjourned until Monday morning at 11 o'clock.

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SENATE CHAMBER, ATLANTA, GEORGIA,

Monday, November 3, 1902.

The Senate met pursuant to adjournment at 11 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

On motion, the roll-call was dispensed with.

The Journal of Thursday was read and approved.

The following message was received from his Excellency, the Governor, through his Secretary, Mr. Hitch, to wit:

*Mr. President:*

I am directed by his Excellency, the Governor, to deliver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in executive session.

Leaves of absence were granted Senators Jordan, Roundtree, Van Buren and Middlebrooks.

The invitation from Mr. Slaton to the Senators to be present at a barbecue on Wednesday evening was accepted.

The committee to assign committee rooms were appointed, and consists of Senators Hopkins, Lee and Perry.

The following Senate bills were read first time:

By Mr. Perry—

A bill to suppress the evil of keeping gambling houses mentioned in section 398 of the third volume of the Code.

Referred to the General Judiciary Committee.

By Mr. Perry—

A bill to amend the school laws of the State, by setting aside funds for libraries in schools; to provide the method of selection of said libraries.

Referred to the Educational Committee.

By Mr. Snead—

A bill to make it unlawful for any persons to charge more than eight per cent per annum for money advanced on cotton or other product; to take or contract, as compensation for the failure to deliver such cotton or other product, or as commission or charges thereon more than eight per cent per annum.

Referred to the General Judiciary Committee.

At 11:10 o'clock the Senate went into executive session.

On motion, the Senate adjourned until to-morrow morning at 11 o'clock.

## SENATE CHAMBER, ATLANTA, GEORGIA,

Tuesday November 4, 1902.

The Senate met pursuant to adjournment at 11 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Allen,	Hopkins,	Rountree,
Atkinson,	Hudson,	Skelton,
Clark,	Lee,	Snead,
Clements,	Ledford,	Stevens,
Comas,	Lewis,	Sweat,
Crumbley,	Mathews,	Symons,
Dodd,	McClure,	Taylor,
Davis,	McLean,	Tisinger,
Duncan of 10th,	McMichael,	Turner,
Duncan of 36th,	Moore,	Van Buren,
Golden,	Perry,	Worsham,
Harrell,	Roberts,	Mr. President.
Hightower,		

Those absent were Messrs.—

Christie,	Middlebrooks,	Reid,
Jordan,	Park,	Sullivan,
Merritt,		

The Journal of yesterday was read and approved.

The following resolutions were read and adopted:

By Mr. Perry—

A resolution inviting the Hon. James Wilson, Secretary of Agriculture of United States, and Dr. H. W. Wiley, Chief of Bureau of Chemistry, to address the General Assembly.

By Mr. Comas—

A resolution authorizing C. P. Hansell, Assistant Secretary of Senate, to sign all bills and resolutions in the absence of the Secretary.

By Mr. Hopkins—

A resolution authorizing the Secretary of Senate to purchase seventy-five chairs for committee-rooms.

Mr. Perry, vice-chairman of the Committee on General Judiciary, submitted the following report.

*Mr. President:*

The Committee on General Judiciary has had under consideration the following Senate bill, which I am instructed to report back to the Senate with the recommendation that the same do pass, to wit:

A bill to cede to the United States the jurisdiction of this State over certain lands in the counties of Walker and Catoosa, and certain public roads in the same counties adjacent to or in the vicinity of Chickamauga National Park.

Respectfully submitted.

H. H. PERRY, Vice-Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has adopted the following joint resolutions of the House, in which the concurrence of the Senate is asked, to wit:

A resolution that a finance committee shall be appointed agreeable with section 304 of the Code.

Also, a resolution inviting Rev. Wallace Buttrick, D.D., to address the General Assembly.

Also, a resolution to accept invitation to visit State Fair at Valdosta, November 6th, and that said day be declared *dies non*.

The following Senate bill was read second time:

By Mr. Lee—

A bill to cede to the United States Government certain lands in Walker and Catoosa counties for park purposes.

The following House resolutions were read first time:

By Mr. Hayes—

A resolution that a joint finance committee shall be appointed in accordance with section 304 of the Code.

Referred to the Finance Committee.

By Mr. Fields—

A resolution to invite Rev. Wallace Buttrick, D.D., to address the General Assembly at 12:15 o'clock, on November 4, 1902.

Senate amends by making the hour 12 o'clock instead of 12:15. This amendment was adopted.

The resolution was adopted as amended.

By Mr. McRae—

A resolution that the General Assembly accept invitation to visit the State Fair at Valdosta, November 6th, and that day be declared *dies non*.

This resolution was concurred in.

This being the day fixed by law for the election of United States Senator for the term of six years, beginning March 4, 1903, the President announced that nominations for that office were now in order. Whereupon Senator Harrell of the 8th district, placed in nomination Hon. A. S. Clay of the county of Cobb. Senator Allen of 41st district, placed in nomination the Hon. Walter H. Johnson, of the county of Muscogee. There being no other nominations the call of the roll was ordered and the vote was as follows:

The following voted for Hon. A. S. Clay:

Atkinson,	Hopkins,	Rountree,
Clark,	Hudson,	Skelton,
Clements,	Lee,	Snead,
Comas,	Ledford,	Stevens,
Crumbley,	Lewis,	Sweat,
Dodd,	Mathews,	Symons,
Davis,	McClure,	Taylor,
Duncan of 10th,	McLean,	Tisinger,
Duncan of 36th,	McMichael,	Turner,
Golden,	Moore,	Van Buren,
Harrell,	Perry,	Worsham,
Hightower,	Roberts,	Mr. President,

The following voted for Hon. Walter H. Johnson:

Allen,

Clay 36; Johnson 1.

Upon casting up the vote it appeared that the Hon. A. S. Clay had received 36 votes and Hon. Walter H. Johnson had received 1 vote; it further appeared that Hon. A. S. Clay had received a majority of all the votes cast. The same was ordered spread upon the Journal.

The following resolution was read and adopted:

By Mr. Comas—

A resolution. Resolved by the Senate, that the Secretary of

the Senate be requested to convey to the Hon. P. J. Sullivan of the 18th district, the sympathy of the Senate for him during his recent severe illness, and express the hope that he will soon be restored to his usual health.

By Mr. Hawes—

A resolution inviting the Hon. A. S. Clay to address the General Assembly to-morrow at 12:15 o'clock, and that a committee of two from the House and one from the Senate, be appointed to notify him of this invitation.

The committee on part of Senate is Senator Harrell.

The following Senate bills were read first time:

By Mr. Sweat—

A bill to make it a misdemeanor to be intoxicated upon any street or public road of this State.

Referred to the General Judiciary Committee.

By Mr. Perry—

A bill to amend section 1105 of volume 3 of the Code of Georgia.

Referred to the General Judiciary Committee.

By Mr. Perry—

A bill to provide for the payment of costs and fines in cases in which services are performed by special criminal bailiffs of the superior or city courts of this State.

Referred to the General Judiciary Committee.

By Mr. Mathews—

A bill to amend section 401 of volume 3 of the Code.

Referred to the General Judiciary Committee.

At 11:30 the Senate went into executive session.

The hour of 12 o'clock having arrived, the Senate repaired to the Hall of the House of Representatives, to listen to an address by Hon. Wallace Buttrick.

At the conclusion of the address the Senators returned to the Senate Chamber and was called to order by the President.

On motion, the Senate adjourned until to-morrow morning at 11:30 o'clock.

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SENATE CHAMBER, ATLANTA, GEORGIA,

Wednesday, November 5, 1902.

The Senate met pursuant to adjournment at 11:30 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Allen,	Davis,	Hudson,
Atkinson,	Duncan of 10th,	Jordan,
Christie,	Duncan of 36th,	Lee,
Clark,	Golden,	Ledford,
Clements,	Harrell,	Lewis,
Comas,	Hightower,	Mathews,
Dodd,	Hopkins,	McClure,

McLean,	Rountree,	Taylor,
McMichael,	Skelton,	Tisinger,
Merritt,	Snead,	Van Buren,
Moore,	Stevens,	Worsham,
Perry,	Sweat,	Mr. President.
Roberts,	Symons,	

Those absent were Messrs.—

Crumbley,	Park,	Sullivan,
Middlebrooks,	Reid,	Turner,

The Journal of yesterday was read and approved.

Mr. Davis, chairman of Committee on Finance, submitted the following report:

*Mr. President:*

The Committee on Finance has had under consideration the following House resolution, which I am instructed to report back to the Senate with the recommendation that the same be concurred in, to wit:

A resolution. That a joint finance committee shall be appointed in accordance with section 304 of the Code of Georgia.

Respectfully submitted.

W H. DAVIS, Chairman.

The following message was received from the Governor through Mr. Erwin, Secretary:

*Mr. President:*

I am directed by his Excellency, the Governor, to deliver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in executive session.

Mr. Jordan moved that when the Senate adjourn to-day it stand adjourned until Saturday at 12 o'clock. This motion was lost.

Mr. Tisinger moved that when the Senate adjourns to-day it stand adjourned until Friday at 12 o'clock. This motion prevailed.

The following resolution was read and adopted:

By Mr. Dodd—

A resolution appointing a committee of three from the Senate to act with the House committee to investigate the condition of the Capitol and report the necessary repairs.

Committee consists of Senators Dodd, Harrell and Turner.

Mr. Perry, vice-chairman Committee on General Judiciary, submitted the following report:

*Mr President:*

The General Judiciary Committee has had under consideration the following bills of the Senate, which it instructs me to report back with the recommendation that the same do pass, to wit:

A bill to provide for the payment of costs and fees in cases in which services are performed by special criminal bailiffs of the Superior or City Courts of this State, and for the disposition of the same.

Also, a bill to amend section 1105 of volume 3 of the Code of Georgia, of 1895, so as to provide that the compensation of special criminal bailiffs shall be fixed by the

judge of the court in which they are appointed, instead of by the Ordinary or County Commissioners, as now provided by said section.

The committee also recommends the following bill do pass as amended:

A bill to amend section 691 of volume 3 of the Code of 1895, by striking from the fourth line of said section the words, "the legitimate proceeds of its investments," and inserting in lieu thereof the words, "declared or distributed from the actual legitimate net earnings of its investments," and by adding at the end of said fourth line the words "and does not in any manner increase its debts or liabilities," and for other purposes.

The committee also recommends that the following bill be withdrawn from this committee and referred to the Committee on Temperance:

A bill to make it a misdemeanor to be intoxicated upon any street or public road of this State, and for other purposes.

The committee also recommends that the following bill do not pass:

A bill to make it lawful to make insurance companies and other persons who may be indemnifying the defendant, party defendant, and jointly liable, and for other purposes.

H. H. PERRY, Vice-Chairman.

Mr. Ledford, chairman Committee on Education, submitted the following report:

*Mr. President:*

The Committee on Education has had under consideration the following bill of the Senate, which it instructs me to report back with the recommendation that the same do pass, to wit:

A bill to amend the charter of the town of Flintstone, Walker county, Ga., so as to provide for a system of public schools in and for said town, and for other purposes.

Also, a bill to alter and amend article 8, section 4, paragraph 1 of the Constitution of this State; be read second time and recommitted to Committee on Constitutional Amendments.

M. L. LEDFORD, Chairman.

The following House resolution was read second time and concurred in:

By Mr. Hayes—

A resolution appointing a joint finance committee in accordance with section 304 of the Code.

Committee on part of Senate are Senators Christie, Comas, and Duncan of 36th district.

The following Senate bill was read third time:

By Mr. Lee—

A bill to cede to the United States Government certain lands in Walker and Catoosa counties for park purposes.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 33, nays 0.

The bill having received the requisite constitutional majority was passed.

At 11:40 the Senate went into executive session.

The following Senate bills were read second time:

By Mr. Lee—

A bill to amend the charter of Flintstone, in Walker county.

By Mr. Tisinger—

A bill to amend section 691 of volume 3 of the Code.

By Mr. Perry—

A bill to provide for the payment of costs in cases in which services are performed by special criminal bailiffs in the superior and city courts.

By Mr. Perry—

A bill to amend section 1105 of volume 3 of the Code.

The following Senate bill was read second time and re-committed to the Committee on Constitutional Amendments:

By Mr. McMichael—

A bill to amend article 5, section 4, paragraph 1 of the Constitution.

Leave of absence was granted Senators Crumbley, Moore, McMichael, Atkinson, McLain, Jordan and Worsham.

The following Senate bill was read first time:

By Mr. Perry—

A bill to repeal an Act entitled an Act to establish a city court in the county of Hall, and for other purposes.

Referred to the General Judiciary Committee.

The hour of 12 o'clock having arrived, the Senate repaired to the Hall of the House of Representatives, for the purpose of consolidating the vote for United States Senator. Upon casting up the vote it appeared that Hon. A. S. Clay had received 170 votes, a majority of all the votes cast.

The President of the Senate declared Mr. Clay duly elected United States Senator for the ensuing six years, from March 4, 1903.

At the conclusion of Senator Clay's address, the Senate returned to the Chamber and was called to order by the President.

On motion, the Senate adjourned until Friday morning at 12 o'clock.

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SENATE CHAMBER, ATLANTA, GEORGIA,

Friday, November 7, 1902.

The Senate met pursuant to adjournment at 12 o'clock; was called to order by the President

Prayer was offered by the Chaplain.

Upon motion, the roll-call was dispensed with.

The Journal of Wednesday was read and confirmed.

Mr. Symons, chairman of the Engrossing Committee, submitted the following report:

*Mr. President:*

The Committee on Engrossing have examined and find correctly engrossed and ready for transmission to the House the following bill of the Senate, to wit:

A bill to cede to the United States Government certain lands in Walker and Catoosa counties for park purposes.

W. F. SYMONS, Chairman.

Mr. Christie, chairman of Committee on Banks, submitted the following report:

*Mr. President:*

The Committee on Banks has had under consideration the following bill of the Senate, which it instructs me to report back to the Senate, with the recommendation that the same do pass:

A bill to amend section 982, by adding the town of Lafayette to the list of State depositories.

The committee also recommends the following bill do pass as amended:

A bill to amend section 982 of the Code, by adding the city of Baxley, in Appling county, to the list of State depositories.

Respectfully submitted.

S. R. CHRISTIE, Chairman.

By unanimous consent the following Senate bill was read second time and recommittee to the General Judiciary Committee:

By Mr. Harrell—

A bill to amend section 4313 of the Code.

The following Senate bill was read first time:

By Mr. Dodd—

A bill to amend an Act to allow pensions to certain Confederate widows, so as to extend the provisions of said Act to all worthy Confederate widows, and for other purposes.

Referred to the Pension Committee.

The following Senate resolution was read first time and ordered engrossed:

By Mr. Symons—

A resolution requesting our representatives in Congress to use their influence to secure better protection for the coast towns.

The following Senate bills were read second time:

By Mr. Lee—

A bill to amend section 982 of volume 1 of the Code, by adding the town of LaFayette to the list of cities as State depositories.

By Mr. Comas—

A bill to amend section 982 of the Code, by adding the city of Baxley to the list of cities as State depositories.

On motion, when the Senate adjourns to-day it will convene again to-morrow at 10 o'clock.

Leave of absence was granted Senator Lewis indefinitely on account of sickness.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

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SENATE CHAMBER, ATLANTA, GEORGIA,

Saturday, November 8, 1902.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon motion, the roll-call was dispensed with.

The Journal of yesterday was read and confirmed.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

*Mr. President:*

The Special Judiciary Committee has had under consideration the following bills of the Senate, which it instructs me to report back with the recommendation that the same do pass:

A bill to repeal section 397, volume 3 of the Code.

Also a bill to repeal the Act creating the county court of Marion county.

Respectfully submitted.

B. L. TISINGER, Chairman.

The following message was received from the Governor through Mr. Erwin, Secretary:

*Mr. President:*

I am directed by his Excellency, the Governor, to deliver to the Senate a communication in writing.

*To the General Assembly of Georgia:*

The body of our laws represents to an unusual degree the matured wish of the people of Georgia, and, in entering upon the discharge of your legislative duties, you are not confronted with demands for many or radical changes. Annual sessions of the Legislature have made it easy to enact new statutes as well as to amend or repeal old ones, so as to supply omissions or cure defects disclosed by experience, and in consequence, we have a system just, simple, and in every way suited to the genius and spirit of our people.

But there are a few special subjects to which I desire to call your attention. Their inherent importance will gain for them your careful deliberation; and the fact that the people in the last election, in distinct and unmistakable terms, expressed their wish in reference thereto, will tend to remove many questions as to what should be done, and leave your task largely that of determining how the desired end is to be accomplished.

### LIMITATION OF TAX RATE.

First in importance is that of limiting the rate of taxation. The Constitution of 1877 was framed in accordance with the elemental principles of a republican form of government, and aimed at an economical administration of the affairs of State. It contemplated the payment of the necessary expenses of the legislative, executive and judicial

departments; the payment of the public debt; a proper pension for those entitled thereto; the support of the Public Schools, and the protection of the State in time of war. It prohibited appropriations or taxation for other purposes. It recognized that there would be many claims on the public treasury, and that many of them might be for good and worthy purposes. But, in view of the financial conditions surrounding the State, it drew the line, and fixed definitely the purposes for which the people's money might be spent, intending to secure them for all time against the burdens of excessive taxation. But, so long as there is no limit to the amount which may be spent on the objects named in the Constitution, there is no limit to the amount which may be raised by taxation. In order perfectly to secure the end designed by the Convention, and demanded by the people in the last election, there must be a limit on the annual tax rate, and I therefore suggest that this General Assembly submit a Constitutional Amendment limiting the tax rate to five mills, exclusive of the Sinking Fund and what may be needed for the protection of the State in time of insurrection or war.

### TAXATION OF FRANCHISES.

Closely allied to a limitation on the rate of taxation is the duty of providing a method by which all property shall be made to bear its fair share of the public burden. With a few exceptions, the Constitution provides that all property shall be taxed. In the main, this provision is carried into effect—though no system has ever been devised which is perfect in its application, and, in spite of the most carefully drafted tax Acts, there are unavoidable omissions and a want of that perfect equality and uniformity towards which the law-making power constantly aims. But there is a class of franchises held by certain *quasi*-public corporations which,

though valuable in themselves and adding value to the capital stock, have, in the past, escaped taxation because of a want of a provision in the Statutes requiring these franchises to be returned or assessed. Being property, these franchises are as subject to taxation as any other property under the Constitution, and, in view of the fact that they generally represent privileges which are more or less exclusive and which have been given to the corporations without money and without price, there is a peculiar justice in subjecting them to the tax laws. It will be for you to determine how the taxable value of these franchises is to be estimated though I venture to suggest that there is no need for any great change in the present machinery of the tax law. It will probably be sufficient to amend Section 767 Volume 1. of the Code so as to include all franchises, whether of resident or non-resident corporations doing business in this State, which add value to the capital stock or to the tangible property of the corporation. A further amendment to Sections 780 and 803 of the Code may be necessary so as to require officers making returns for a corporation to state "the value of the corporate franchise exclusive of its other corporate property" The simplicity of this method will commend itself. It will probably avoid many questions which would otherwise arise from the enactment of new statutes containing untried and untested methods. It will provide an easy and practical means of determining what the franchise is worth, for, if there is any disagreement as to such value, it can be settled by arbitration, as all other differences of a like nature between the tax-payer and the Comptroller, or the tax-payer and Tax Receiver are now settled.

### SALARY OF TEACHERS.

In practice, the school year and fiscal year do not coincide. The teachers for work done this year must be paid

out of taxes to be collected next December and January. This has caused a serious disturbance in the State's finances and been the occasion of great hardship to the teachers and detriment to the schools. I suggest that the \$122,078 now in the Treasury to the credit of the Public Property Fund be appropriated to the payment of interest on the public debt, and that a like sum already collected by taxation for paying interest be now applied to the payment of teachers' salaries. This will enable the General Assembly, by economy in appropriations, to pay the teachers monthly in accordance with their contracts during 1903, and during future years, by providing a permanent loan fund of \$500,000 to be transferred to the School Fund in the spring and repaid when the taxes are collected. This fund can and should be created from the money in the Treasury collected for the payment of interest, and not so used on account of the appropriation of the Public Property Fund for that purpose, and from the overplus raised by the levy of two and one-tenth mills for the years 1901 and 1902 for educational purposes, as provided by the last General Tax Act.

### COMMON SCHOOLS.

In considering the interest of the teachers, we must not be blind to the claims of the children. Georgia was the first in the Union, and probably the first in the world, to incorporate in its organic law a provision for public schools, for in 1777, in its first Constitution, it declared that "schools shall be erected in each county and supported at the general expense of the State." Since that date, we have been dealing with this supreme problem. The public wish has always been ahead of the public ability. The evils of illiteracy are recognized, but the expense of the cure is beyond our purse. In proportion to our taxable values, we may well challenge comparison with others, who, apparently, do more. Still, with an adequate sum, it

behooves us to make the most of our resources and to increase them wherever the people of a particular locality are willing to add to the School Fund. It often happens that while a county is unable to supplement the School Fund by taxation, those living in a particular militia district are willing to add to the State Fund so as to lengthen the school term, and they should be permitted to do so.

It takes four things to make a school—teachers, pupils, books and schoolhouses. We have teachers and books, and pupils we have in abundance, but of schoolhouses in the country districts there is woeful want. Proper and comfortable houses will add greatly to the efficiency of our common schools. While it is impossible at the present time to build them from general taxation, yet there are many communities in which they could be provided without expense to the State at large. The present law authorizes the school trustees to purchase necessary buildings, but the amount of the school fund has been inadequate to enable those in the country districts to take advantage of the Act. And where the local community is willing to raise the necessary funds, there is no provision of law by which a militia district or school district is authorized to tax itself for such purposes. Ordinarily, the unit in our State government is the county, and the general law now of force only contemplates city or county taxation, but authority ought to be given to a militia district or a school district to collect a local tax for school and schoolhouse purposes, wherever the taxpayers so desire, and I therefore, recommend legislation—including a constitutional amendment, if that be necessary—providing that upon the request of two-thirds of the taxpayers in any militia district or school district, a reasonable tax may be imposed upon the property therein, the proceeds of which shall be applied by the school trustees to educational purposes, or to the purchase of land and the erection of school buildings in that particular district.

The success of any educational system largely depends upon the teachers. Unless they are capable and efficient, it is impossible to train the children of the coming generation. Many of the young men and young women of the State are patriotically and faithfully endeavoring to fit themselves for that high calling, and the Normal School at Athens and the Girls' Normal School at Milledgeville have been of great assistance in this important work—a work which inures immediately and directly to the benefit of the public. Both of these institutions deserve the most generous support of the State for their valuable services.

#### EXEMPTION OF COLLEGE ENDOWMENTS.

Not only the common schools but every other instrumentality which aids in the education and training of the youth merits your careful and serious attention. Our colleges are brought into active competition with foreign institutions splendidly equipped and endowed with millions, and all our higher institutions of learning are unselfishly engaged in performing a public service to the State with no purpose of trade or gain. It is but a slight recognition of what they have done in the past and of the splendid work they are now doing, that their endowment should be exempt from taxation, where the fund is not so invested as to come into actual competition with the business and commercial interests of other citizens. Such a course will not only be a return to the practice prior to 1877, but owing to the material reduction in tuition fees and the much smaller rate of interest received from their investments, it is now almost essential to their continued existence. Under the constitution, we cannot aid these institutions out of the public treasury, no matter how great their service, but we should surely relieve them from burdens,

and I therefore recommend the submission of a constitutional amendment authorizing the General Assembly to exempt from taxation the endowment funds and investments of all educational institutions.

### AGRICULTURAL SCHOOLS.

Georgia is pre-eminently an agricultural State ; and while we are fostering other interests, we should be specially active to encourage that business in which the whole State is most vitally concerned. If here we lag behind, the whole State suffers, and if in this we can forge to the front, all the people will be directly benefited. So vital is our concern in agriculture that we should not only comply with all reasonable requests of the farming interests, but even go farther and be diligent to search out means by which the agricultural interests may be improved. As legislators you may not be able to do this directly, but you can set forces at work that will accomplish the desired end. Nothing would be more helpful to this great interest than the establishment and maintenance of an agricultural school in each congressional district of the State, and connect therewith an experimental station and farmers institute. Such schools would furnish an opportunity for the intelligent teaching and training annually of several thousand of our young men and women engaged in agriculture and kindred pursuits. Fully equipped for their life-work, such pursuits would be more attractive to them, as well as more remunerative. Agriculture would take on new life and the desire on the part of many of our noble young men and women to leave the farm for towns and cities would be checked. The State, very wisely and justly, provides suitable facilities for the education of the youths who contemplate making of themselves teachers, lawyers, doctors, machinists, electricians and the like. With equal wisdom and justice, if not more, she should provide suitable facilities for the young men and

women who will engage in agriculture or similar pursuits. The experiment has been tried elsewhere with great success, and inasmuch as no constitutional objection could be insisted upon should they be made branches of the University, I urge the General Assembly to enact such legislation as will permit the establishment and maintenance of these schools. To do this no extra taxation would be necessary, as they can be maintained by the net fees arising from the inspection of commercial fertilizers. These fees are paid by the farmers in addition to the *ad valorem* property tax, which is required of all citizens, and every principle of justice and equity demands that they be expended as will best tend to the advancement and upbuilding of the cause of agriculture throughout the State. These fees are now paid into the treasury to the credit of the common school fund. The loss which such an application would entail upon that fund can be more than supplied by an increase in the hire of State convicts. This increase we may reasonably expect from contracts necessary to be made in the near future.

The discussion of this matter in various sections of the State has convinced me that the several counties in which these schools may be located would donate sufficient lands and suitable buildings for that purpose. In order that the General Assembly may be fully informed as to all necessary details attending the establishment and maintenance of such schools, I recommend that at the present session a commission be created, to serve without compensation, with authority to receive bids from counties in each Congressional district for the location of such schools therein, and report to the present General Assembly at the next session.

## COMPILATION OF RECORDS.

The preservation of the records of the Colonial period and of the Revolutionary and Civil Wars is a matter of much concern. The lessons to be derived from these periods in the State's history should be taught to the children in our schools. Private enterprise cannot be relied upon to perfect and preserve these records, neither can we hope to obtain through private enterprise a full and complete history of these periods, as the demand for such a work would be almost entirely restricted to Georgians. The State should perfect and preserve these records, and then cause suitable publication to be made thereof for use in the schools, or permit some historian to cull therefrom such matter as would be valuable in the training of children. I therefore recommend such legislation as will authorize the employment of some competent person to compile and publish these records.

## CONCLUSION.

The subjects referred to, do not, of course, exhaust the matters of great importance which will come before this General Assembly. These special subjects have been called to your attention because of the profound interest felt in them by the State at large, and because the people hope for action thereon at this session.

JOSEPH M. TERRELL,  
Governor.

One hundred copies ordered printed for use of Senate.

The following message was received from the House through Mr. Boifenillet, the Clerk thereof:

*Mr. President.*

The House has adopted the following resolution of the House, in which the concurrence of the Senate is asked, to wit:

A resolution inviting Miss Mildred Rutherford, President Lucy Cobb Institute, to present before the General Assembly, the interest of the Winnie Davis Memorial.

The House has concurred in the following Senate resolution, to wit:

A resolution inviting Hon. James Wilson, Secretary of Agriculture, and Dr. H. W. Wiley, Chief of Bureau of Chemistry, in the department of agriculture, to address the General Assembly.

The House has passed by the requisite constitutional majority, the following bills of the House, to wit:

A bill to repeal an Act entitled an Act to create a board of commissioners of roads, public buildings and public property and finances for the county of Monroe, and for other purposes, approved August 27, 1872, and all Acts amendatory thereof.

Also, a bill to create a board of commissioners of roads and revenues for Johnson county, and for other purposes.

Also, a bill authorizing commissioners of roads and revenues of Bibb county to contribute toward support of Macon Hospital Association, in the city of Macon, and for other purposes.

The following Senate bills were read first time:

By Mr. Comas—

A bill to repeal section 397, volume 3 of the Code.

By Mr. McMichael—

A bill to repeal the Act creating the county court of Marion county.

By unanimous consent the following bill was withdrawn by its author:

A bill to amend an Act to allow pensions to certain Confederate widows, so as to extend the provisions of said Act to all worthy Confederate widows.

The following Senate bills were read first time:

By Mr. Skelton—

A bill to change the time of meeting of the General Assembly from the fourth Wednesday in October to the second Wednesday in January of each year.

Referred to the General Judiciary Committee.

Also by Mr. Skelton—

A bill to change the time for holding election for Governor and other officers, from the first Wednesday in October, to Thursday after the first Monday in November.

Referred to the General Judiciary Committee.

The following House bills were read first time:

By Messrs. Walker and Shannon--

A bill to repeal an Act entitled an Act to create a board of county commissioners for Monroe county.

Referred to the Special Judiciary Committee.

By Mr. Felder—

A bill to authorize the commissioners of roads and revenues of Bibb county to contribute toward the support of the Macon Hospital Association.

Referred to the Special Judiciary Committee.

By Mr. Kent—

A bill to create a board of commissioners of roads and revenues for Johnson county.

Referred to the Special Judiciary Committee.

The following House resolution was read and concurred in:

By Mr. Franklin—

A resolution that Miss Mildred Rutherford, of Athens, be invited at a time to suit her convenience, to present before the General Assembly the interest of the Winnie Davis Memorial.

On motion, the Senate adjourned until Monday morning at 11 o'clock.

## SENATE CHAMBER, ATLANTA, GEORGIA,

Monday, November 10, 1902.

The Senate met pursuant to adjournment at 11 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Allen,	Hopkins,	Reid,
Atkinson,	Hudson,	Roberts,
Christie,	Jordan,	Rountree,
Clark,	Lee,	Skelton,
Clements,	Ledford,	Snead,
Comas,	Mathews,	Stevens,
Crumbley,	McClure,	Sweat,
Dodd,	McLean,	Symons,
Davis,	McMichael,	Taylor,
Duncan of 10th,	Merritt,	Tisinger,
Duncan of 36th,	Middlebrooks,	Van Buren,
Golden,	Moore,	Worsham,
Harrell,	Park,	Mr. President.
Hightower,	Perry,	

Those absent were Messrs.—

Lewis,	Turner,
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The Journal of Saturday was read and approved.

The following message was received from the Governor through Mr. Erwin, Secretary:

*Mr. President:*

I am directed by his Excellency, the Governor, to deliver to the Senate a sealed communication, and respect-

fully ask consideration of same by your honorable body in executive session.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority, the following House bill, to wit:

A bill to abolish the county court of Screven county, and for other purposes.

The House has concurred in the following joint resolution of the Senate, to wit:

A resolution appointing a joint committee from the House and Senate to escort the remains of Senator Sullivan to Augusta.

House Committee: Messrs. Mulherin, Calvin, Dunbar, Phillips, Kelly, Davis, Cann, Howard of Baldwin, Hayes, Holder.

The following resolution was read and adopted:

By Mr. Snead—

A resolution appointing a committee of five from the Senate and ten from the House, to accompany the remains of the late Senator P. J. Sullivan to Augusta.

On motion, when the Senate adjourns to-day it will stand adjourned until Wednesday morning at 11 o'clock.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

*Mr. President:*

The Special Judiciary Committee has had under consideration the following bills of the House which it instructs me to report back to the Senate with the recommendation that the same do pass:

A bill to authorize and empower the commissioners of roads and revenues of Bibb county to contribute to the support of the Macon Hospital.

A bill to create a board of commissioners of roads and revenues for Johnson county.

Respectfully submitted.

B. L. TISINGER, Chairman.

The following House bill was read first time:

By Mr. Overstreet—

A bill to abolish the county court of Screven county, and for other purposes.

Referred to the General Judiciary Committee.

The following House bills were read second time:

By Mr. Felder—

A bill to authorize the county commissioners of Bibb county to contribute toward the support of the Macon Hospital.

Also by Mr. Kent—

A bill to create a board of county commissioners for Johnson county.

The following Senate resolution was read second time and adopted:

By Mr. Symons—

A resolution to request our representatives in Congress to use their influence in securing better protection to our coast cities of Georgia.

The following Senate bills were read first time:

By Mr. Comas—

A bill to amend section 812 of the Code relative to the tax returns of corporations, companies, persons, agencies or institutions.

Referred to the Special Judiciary Committee.

By Mr. Lee—

A bill to change the time of the meeting of **the General** Assembly from the fourth Wednesday in October to the first Wednesday in January of each year.

Referred to the General Judiciary Committee.

By Mr. Moore—

A bill to provide for the trial of all criminal cases returnable to the county courts in this State of which the court has jurisdiction, upon written accusation without indictment or presentment by a grand jury and the form of said accusation.

Referred to the Special Judiciary Committee.

By Mr. Snead—

A bill to make it unlawful and punishable as a misdemeanor for any person to hunt upon the lands of another in Columbia county without the written consent of the owner.

Referred to the Special Judiciary Committee.

By Mr. Snead—

A bill to require all chartered banks in this State to be kept open for the transaction of business with the public at least five hours each day—except on Sundays and legal holidays.

Referred to the Committee on Banks.

By Mr. Symons—

A bill to fix and prescribe the boundaries of land adjacent to or covered by, or bordering on all tide waters in this State which are not contemplated by sections 3058, 3059 and 3060 of the Code.

Referred to the General Judiciary Committee.

The following Senate bills were read third time and put upon their passage:

By Mr. Comas—

A bill to amend section 952 of the Code of Georgia by adding the city of Baxley to the list of State depositories.

The report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority, was passed as amended, and the amendments are as follows: Amend the caption by inserting after the words "Appling county" in the fifth line the words "and Douglasville in Douglas county."

Amend section 1 by inserting after the words "Appling county" in line seven, the words "and Douglasville in Douglas county."

By Mr. McMichael—

A bill to repeal the act creating the county court of Marion county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Lee—

A bill to amend section 982 of the Code by adding the town of LaFayette to the list of State depositories.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 37, nays 0.

The bill having received the requisite constitutional majority, was passed.

Leave of absence was granted Senators Merritt, and Roundtree.

On motion, the Senate adjourned until Wednesday at 11 o'clock.

## SENATE CHAMBER, ATLANTA, GEORGIA,

Wednesday, November 12, 1902.

The Senate met pursuant to adjournment at 11 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

On motion, the roll-call was dispensed with.

The Journal of Monday was read and approved.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to amend section 739 of the Code, touching eligibility of councilmen, etc.

Also, a bill to provide compensation for deputy sheriffs and bailiffs of superior and city courts in counties having cities with population of 50,000, or more.

Also, a bill to incorporate the Tennille School District in Washington county, and for other purposes.

The House has adopted the following House resolution in which concurrence of the Senate is asked, to wit:

A resolution that no session be held on Thanksgiving Day and that said day be counted *dies non*.

The following House bills were read first time:

By Mr. Franklin—

A bill to incorporate the Tennile school district in Washington county, and for other purposes.

Referred to the Special Judiciary Committee.

By Mr. Hardin—

A bill to provide compensation for deputy sheriffs and bailiffs of superior and city courts in counties having cities with a population of 50,000, or more.

Referred to the General Judiciary Committee.

By Messrs. Slaton, Houston and Blackburn—

A bill to amend section 739 of the Code of Georgia relative to the eligibility of councilmen, and for other purposes.

Referred to the General Judiciary Committee.

The president announced that a vacancy occurred for office of president pro tem. of the Senate on account of the death of Senator Sullivan and that nominations for that office was now in order.

Whereupon, Mr. Perry placed in nomination Senator H. W. Hopkins of the 7th District for that office; this nomination was seconded by several.

Upon the call of the roll for the election of President pro tem. the vote was as follows:

Allen,

Atkinson,

Christie,

Clark,	Jordan,	Roberts,
Clements,	Lee,	Skelton,
Comas,	Ledford,	Sread,
Crumbley,	Mathews,	Stevens,
Dodd,	McLean,	Sweat,
Davis,	McMichael,	Symons,
Duncan of 10th,	Merritt,	Taylor,
Duncan of 36th,	Middlebrooks,	Tisinger,
Golden,	Moore,	Van Buren,
Harrell,	Park,	Wcrsham,
Hightower,	Perry,	Mr. President,
Hudson,	Reid,	

Ayes, 38. Nays, 0.

Upon casting up the vote it appeared that Senator Hopkins had received 38 votes—the entire vote cast.

The President declared that Senator Hopkins was duly elected President pro tem.

Mr. Duncan, of Tenth, Chairman of the Engrossing Committee, submitted the following report:

*Mr. President:*

The Committee on Engrossing have examined and found correctly engrossed and ready for transmission to the House the following bills of the Senate, to wit:

A bill to amend section 982 of the Code by adding the cities of Baxley in Appling county and Douglasville in Douglas county to the list of State depositories.

Also, a bill to amend section 982 of the Code, by adding the town of LaFayette, in Walker county, to the list of State depositories.

Also, a bill to repeal the Act creating the county court of Marion county.

Respectfully submitted.

A. B. DUNCAN, Chairman.

On motion, the following committee was appointed to prepare suitable resolutions upon the death of Senator Sullivan:

Senators Skelton, Hopkins, Perry, Davis and Snead.

By unanimous consent the following Senate resolutions were read second time and recommitted to Finance Committee:

By Mr. Harrell—

A resolution dividing the school fund raised by taxation in this State between the white and colored children.

By Mr. Harrell—

A resolution directing that the assessment on all taxable property in this State for each of the fiscal years 1902 and 1903, shall not exceed three and one-half mills for all purposes.

On motion, Senators Taylor and Park were added to the Penitentiary Committee.

The following Senate bills were read first time:

By Mr. Jordan—

A bill creating a commission to investigate the feasibility of locating an agricultural and industrial school in each Congressional district in this State.

Referred to the Agricultural Committee.

By Mr. Ledford—

A bill to change the time of holding the superior courts in Union county.

Referred to the Special Judiciary Committee.

By Mr. Merritt—

A bill to amend the Act creating the board of county commissioners for Hancock county.

Referred to the Special Judiciary Committee.

By Mr. Sweat—

A bill to prohibit the adulteration of turpentine, and prescribe punishment for same.

Referred to the General Judiciary Committee.

By Mr. Park—

A bill to provide for admitting to bail of parties who have been convicted of offenses bailable before trial, upon filing motion for new trial.

Referred to the General Judiciary Committee.

By Mr. Comas—

A bill to require the rotation of the judges of the superior courts of this State, and prescribe method, and for other purposes.

Referred to the General Judiciary Committee.

By Mr. Worsham—

A bill to incorporate the Forsyth school district, in Monroe county.

Referred to the Educational Committee.

The following Senate and House bills were read third time to be put upon their passage:

By Mr. Comas—

A bill to repeal section 397 of volume 3 of the Code.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 5.

The bill having received the requisite constitutional majority was passed.

By Mr. Perry—

A bill to amend section 1105 of volume 3 of the Code.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 6, nays 23.

The bill not having received the requisite constitutional majority was lost.

By Mr. Perry—

A bill to provide for payment of costs and fees in cases in which services are performed by a special bailiff.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Lee—

A bill to amend the charter of the town of Flintstone, in Walker county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 32, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Tisinger—

A bill to amend section 691 of the Code of 1895.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 35, nays 0.

The bill having received the requisite constitutional majority was passed as amended, and the amendments are as follows:

Amend caption by striking from line 7 thereof the words "or liabilities."

Amend section 1 by striking from the ninth and fifteenth lines the words "or liabilities."

By Mr. Felder—

A bill to authorize the county commissioners of Bibb county to contribute to the support of the Macon Hospital.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 35, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Kent—

A bill to create a board of county commissioners for Johnson county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

At 12:30 o'clock the Senate went into executive session.

Senator Van Buren was added to the Committee on Mines and Mining.

The following resolution was read first time:

By Mr. Middlebrooks—

A resolution favoring an exhibit from Georgia at the St. Louis Exposition.

Referred to the Committee on State of the Republic.

The following Senate bill was read first time:

By Mr. Perry—

A bill to amend section 2150 of the Code, volume 2, which refers to incorporation, control and management of

suburban street railroad companies, and for other purposes.

Referred to the Railroad Committee.

Senator Golden was added to the Penitentiary Committee.

On motion, the Senate adjourned until to-morrow morning at 11 o'clock.

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SENATE CHAMBER, ATLANTA, GEORGIA,  
Thursday, November 13, 1902.

The Senate met pursuant to adjournment at 11 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Allen,	Hopkins,	Reid,
Atkinson,	Hudson,	Roberts,
Christie,	Jordan,	Skelton,
Clark,	Lee,	Snead,
Clements,	Ledford,	Stevens,
Comas,	Mathews,	Sweat,
Crumbley,	McClure,	Symons,
Dodd,	McLean,	Taylor,
Davis,	McMichael,	Tisinger,
Duncan of 10th,	Merritt,	Turner,
Duncan of 36th,	Middlebrooks,	Van Buren,
Golden,	Moore,	Worsham,
Harrell,	Park,	Mr. President,
Hightower,	Perry,	

Those absent were Messrs.—

Lewis,

Rountree,

A motion of reconsideration of Senate bill No. 2 was given.

The Journal of yesterday was read and approved.

The following message was received from the Governor through Mr. Erwin, Secretary:

*Mr. President:*

I am directed by his Excellency, the Governor, to deliver to the Senate a sealed communication, and to respectfully ask that same be considered by your honorable body in executive session.

Mr. Middlebrooks moved to reconsider the action of the Senate in passing the following bill of the Senate on yesterday:

By Mr. Comas—

A bill to repeal section 397 of volume 3 of the Code.

The motion was lost.

Mr. Sncad, chairman Committee on State of Republic, submits the following report:

*Mr. President:*

The Committee on State of the Republic has had under consideration the following Senate resolution, which it instructs me to report back with the recommendation that it do pass:

A resolution, That we favor the State's making an exhibit of our wonderful resources and manufactures at the Louisiana Purchase Exposition, to be held at St. Louis in 1904.

Respectfully submitted.

CLAIBORNE SNEAD, Chairman.

Mr. Perry, chairman General Judiciary Committee, submits the following report:

*Mr. President:*

The General Judiciary Committee has had under consideration the following bill of the Senate, which it instructs me to report back with the recommendation that it do pass:

A bill to repeal the Act establishing a city court in the county of Hall.

Also, the following House bill, which they recommend do pass:

A bill to abolish the county court of Screven county.  
Respectfully submitted.

H. H. PERRY, Vice-Chairman.

Mr. Christie, chairman Committee on Banks, submits the following report:

*Mr. President.*

The Committee on Banks has had under consideration the following bill of the Senate, which it instructs me to report back with the recommendation that it do not pass:

A bill to require all chartered banks in this State to be

kept open for transaction of business with the public, for at least five hours each day.

Respectfully submitted.

S. R. CHRISTIE, Chairman.

Mr. Tisinger, chairman of the Special Judiciary Committee, submits the following report:

*Mr. President:*

The Special Judiciary Committee has had under consideration the following bills of the Senate, which it instructs me to report back to the Senate with the recommendation that the same do pass:

A bill to make it unlawful and punishable as a misdemeanor for any person to hunt upon the lands of another in Columbia county, without the written consent of the owner thereof.

Also, a bill to change the time of holding superior courts of Union county, in the Northeastern Judicial Circuit, and for other purposes.

Also, a bill to amend an Act to create a board of roads and revenues in the county of Hancock.

The committee also recommends that the following bill of the House do pass:

A bill to incorporate the Tennille school district, in Washington county.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. McClure, chairman of the Committee on Mines and Mining, submits the following report:

*Mr. President:*

The Committee on Mines and Mining has had under consideration the following bill of the Senate, which it instructs me to report back to the Senate with the recommendation that the same do pass as amended:

A bill to amend an Act reviving the office of State Geologist.

Respectfully submitted.

R. B. McCCLURE, Chairman.

Mr. Jordan, chairman of Committee on Agriculture, submits the following report:

*Mr. President:*

The Committee on Agriculture has had under consideration the following bills of the Senate, which it instructs me to report back to the Senate with the recommendation that the same do pass:

A bill to amend section 1570 of the Code of Georgia.

Also, a bill creating a commission to investigate the feasibility of locating an agricultural and industrial school in each Congressional district in this State, and for other purposes.

Respectfully submitted.

C. H. JORDAN, Chairman.

Mr. Duncan, chairman of the Engrossing Committee, submits the following report:

*Mr. President:*

The Engrossing Committee has examined and found

properly engrossed and ready for transmission to the House, the following bills of the Senate, to wit:

A bill to amend section 691 of the Code.

Also, a bill to provide for the payment of costs and fees in cases in which services are performed by special criminal bailiffs of the superior and city courts.

Also, a bill to repeal section 397 of volume 3 of the Code.

Also, a bill to amend the charter of the town of Flintstone, in Walker county.

Respectfully submitted.

A. B. DUNCAN, **Chairman.**

The following Senate bills were read second time:

By Mr. Snead—

A bill to authorize the farmers of this State to buy certain ingredients for fertilizers for his own use.

By Mr. Perry—

A bill to abolish the city court of Hall county.

By Mr. Snead—

A bill to prohibit any person from hunting on the lands of another in Columbia county, without written consent.

By Mr. Merritt--

A bill to amend the Act creating the board of county commissioners in Hancock county.

By Mr. Jordan—

A bill to create a commission to investigate the feasibility of locating an agricultural school in each Congressional district in this State.

By Mr. Ledford—

A bill to change the time of holding Union superior court.

By Mr. Van Buren—

A bill to amend the Act reviving the office of State Geologist.

The following House bills were read second time:

By Mr. Franklin—

A bill to incorporate the Tennille school district, in Washington county.

By Mr. Overstreet—

A bill to abolish the county court of Screven county.

The following House bill was read second time and re-committed to the General Judiciary Committee:

By Messrs. Slaton, Houston and Blackburn—

A bill to amend section 739 of the Code of Georgia touching the eligibility of councilmen.

The following Senate resolutions were read and adopted:

By Mr. Middlebrooks—

A resolution favoring an exhibit of the State's resources at the St. Louis Exposition.

Also, by Mr. Davis—

A resolution authorizing the doorkeeper of the Senate to appoint a third assistant doorkeeper.

The following Senate bills were read first time:

By Mr. Hopkins—

A bill to authorize administrators, executors, trustees, receivers and guardians who are required by law, or by the proceedings appointing such officers, to give bonds, to charge costs for same.

Referred to the General Judiciary Committee.

By Mr. Dodd—

A bill to provide for the uniform system of text-books in this State.

Referred to the Educational Committee.

By Mr. McLean—

A bill to provide for license of carrying pistols, and provide when same shall go into effect.

Referred to the General Judiciary Committee.

By Mr. Rountree—

A bill to amend section 982 of volume 1 of the Code.

by adding the city of Swainsboro to the list of State depositories.

Referred to the Committee on Banks.

By Mr. Skelton—

A bill to amend section 2412, volume 2 of the Code.

Referred to the General Judiciary Committee.

By Mr. McMichael—

A bill to prohibit the using of passes, franks, franchises, etc., by judges of the Supreme, superior, city and county courts, and solicitors of said courts, in this State.

Referred to the Special Judiciary Committee.

The following House resolution was read and adopted as amended:

By Mr. Harden—

A resolution, That the General Assembly adjourn on Thanksgiving Day, and the day be declared *dies non*. The amendment is to strike the words “declared *dies non*.”

At 12:15 o'clock the Senate went into executive session.

On motion, Senate adjourned until to-morrow morning at 11 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA,

Friday, November 14, 1902.

The Senate met pursuant to adjournment at 11 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Allen,	Hopkins,	Reid.
Atkinson,	Hudson,	Roberts,
Christie,	Jordan,	Skelton,
Clark,	Lee,	Snead,
Clements,	Ledford,	Stevens,
Comas,	Mathews,	Sweat,
Crumbley,	McClure,	Symons,
Dodd,	McLean,	Taylor,
Davis,	McMichael,	Tisinger,
Duncan of 10th,	Merritt,	Turner,
Duncan of 36th,	Middlebrooks,	Van Buren,
Golden,	Moore,	Worsham,
Harrell,	Park,	Mr. President.
Hightower,	Perry,	

Those absent were Messrs.—

Lewis,	Rountree,
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The Journal of yesterday was read and approved.

Mr. Ledford, chairman of the Committee on Education, submitted the following report:

*Mr. President:*

The Committee on Education has had under consider-

ation the following bill, which they instruct me to report with the recommendation that the same do pass:

A bill to incorporate the Forsyth school district, in Monroe county, and for other purposes.

Respectfully submitted.

M. L. LEDFORD, Chairman.

Mr. Duncan, chairman of the Temperance Committee, submits the following report:

*Mr. President:*

The Committee on Temperance have had under consideration the following bill of the Senate, which it instructs me to report back with the recommendation that the same do pass:

A bill to make it a misdemeanor to be intoxicated on the streets or public roads of this State.

Respectfully submitted.

DUNCAN OF 36TH, Chairman.

Mr. Park, chairman of the W. & A. R. R. Committee, submitted the following report:

*Mr. President:*

The Committee on Western & Atlantic Railroad has had under consideration the following bill of the Senate, which it instructs me to report back to the Senate with the recommendation that the same do pass as amended:

A bill to repeal the Act authorizing the Governor to appoint an agent to look after the property of the State of Georgia along the line of the W & A. R. R.

Respectfully submitted.

WALTER G. PARK, Chairman.

Mr. Perry, chairman General Judiciary Committee, submits the following report:

*Mr. President:*

The General Judiciary Committee has had under consideration the following bill of the Senate, which it instructs me to report back with the recommendation that it do pass:

A bill to amend section 2412, volume 2, Code of 1895, by striking out of said section the word "fourteen," in the third line of said section, between the words "least" and "years," and substituting in lieu thereof the word "sixteen."

Also, the following bills do pass as amended:

A bill to amend section 401 of volume 3 of the Code of 1895, and for other purposes.

Also, a bill to fix and prescribe the boundaries of land adjacent to or covered by, or bordering on, all tide waters in this State.

Also, that the following bill do pass by substitute:

A bill to prohibit the adulteration of spirits turpentine, and prescribe punishment for the same, and for other purposes.

Also, the following bills of the House, with the recommendation that they do pass:

A bill to provide compensation for deputy sheriffs and bailiffs of superior and city courts in counties having cities with population of fifty thousand, or more.

A bill to amend section 739 of the Code of Georgia, touching eligibility of councilmen, and for other purposes.

Respectfully submitted.

H. H. PERRY, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President.*

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to change the time of holding the fall term of the superior court of McIntosh county, and for other purposes.

Also, a bill to amend the charter of the city of Dawson, so as to reduce the mayor's salary to three hundred dollars per annum.

Also, a bill to amend an Act approved August 28, 1889, entitled "an Act to incorporate the town of McRae, in Telfair county," and for other purposes.

Also, a bill to amend the several acts incorporating the city of Rome, and to amend the Act repealing the charter of South Rome, relating to Myrtle Hill Cemetery.

Also, a bill to repeal the Act creating office of special agent of W & A. R. R.; devolving duties of said agent on Attorney-General, and preventing appointment of another to said office.

Also, a bill to alter and amend the Act incorporating the town of Sasser, in Terrell county, so as to provide for an additional councilman.

Also, a bill to amend an Act amending paragraph 7 of section 107 of the Code of 1895, approved December 20, 1898, and for other purposes.

The following Senate bill was read first time:

By Mr. Davis—

A bill to amend the Act incorporating the town of Midville, in the county of Burke.

Referred to the Committee on Corporations.

The following House bills were read third time to be put upon their passage:

By Mr. Franklin—

A bill to incorporate the Tennille school district, in Washington county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Overstreet—

A bill to abolish the county court of Screven county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Slaton, Houston and Blackburn—

A bill to amend section 739 of the Code of Georgia, touching the eligibility of councilmen, and for other purposes.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 32, nays 0.

The bill having received the requisite constitutional majority was passed.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following House bill, to wit:

A bill to amend the charter of Atlanta, so as to provide for bonds for sewers and water-works.

The following Senate bills were read third time and put upon their passage:

By Mr. Snead—

A bill to amend section 1570 of the Code of Georgia.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 33, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Van Buren—

A bill to amend the Act reviving the office of State Geologist, and for other purposes.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed as amended, and the amendment is as follows: And each assistant shall not receive more than fifteen hundred dollars a year.

By Mr. Perry—

A bill to abolish the city court of Hall county, and for other purposes.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 32, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Merritt—

A bill to amend the Act to create the board of roads and revenues in hancock county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 34, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Snead—

A bill to prohibit any person from hunting on the lands of another in Columbia county without written consent from the owner.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 32, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Jordan—

A bill to create a commission to investigate the feasibility of locating an agricultural school in each Congressional district of this State.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 31, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Ledford—

A bill to change the time of holding the superior court of Union county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 33, nays 0.

The bill having received the requisite constitutional majority was passed.

The following resolution was read and adopted:

By Mr. Howell—

A resolution authorizing the treasurer to pay the per diem and mileage for this session due Hon. P. J. Sullivan, deceased, to his administrator.

This resolution was ordered immediately transmitted to the House.

All of the House bills which were passed by the Senate to-day was ordered immediately transmitted to the House.

The following Senate bills were read second time:

By Mr. Lee—

A bill to repeal the Act authorizing the Governor to appoint an agent to look after the interests of the State along the line of the W. & A. R. R.

By Mr. Sweat—

A bill to make it a misdemeanor to be intoxicated on the streets or public roads in this State.

By Mr. Mathews—

A bill to amend section 401, volume 3 of the Code.

By Mr. Sweat—

A bill to prohibit the adulteration of turpentine in this State.

By Mr. Symons—

A bill to fix the boundaries of land adjacent to or covered by, or bordering on, all tide water.

.

By Mr. Skelton—

A bill to amend section 2412 of the Code.

By Mr. Worsham—

A bill to incorporate the Forsyth school district in Munroe county.

The following House bills were read first time:

By Mr. Rainey—

A bill to amend the Act incorporating the town of Sasser, in Terrell county.

Referred to the Special Judiciary Committee.

By Mr. Akin—

A bill to repeal the Act creating the office of special attorney for the W & A. R. R.

Referred to the Committee on W. & A. R. R.

By Mr. Cook—

A bill to amend the Act incorporating the town of McRea, in Telfair county.

Referred to Committee on Corporations.

By Mr. McHenry—

A bill to amend the several Acts incorporating the city of Rome, so as to extend the limits of Myrtle Hill school district.

Referred to Committee on Corporations.

By Mr. Rogers—

A bill to change the time of holding the fall term of the superior court in McIntosh county.

Referred to the Special Judiciary Committee.

By Mr. Rainey—

A bill to amend the charter of the city of Dawson, so as to reduce the salary of mayor.

Referred to the Special Judiciary Committee.

By Mr. Franklin—

A bill to amend paragraph 7, section 107 of the Code.

Referred to the General Judiciary Committee.

By Messrs. Slaton, Houston and Blackburn—

A bill to amend the charter of the city of Atlanta to provide for the issuing of bonds for sewer purposes.

Referred to Committee on Corporations.

The following House bill was read second time:

By Mr. Hardin—

A bill to provide compensation for deputy sheriffs and bailiffs of the superior court and city courts of the State in cities with a population of fifty thousand, or more.

The following Senate bills were read first time:

By Mr. Mathews—

A bill to amend section 2809 of the Code.

Referred to the General Judiciary Committee.

By Mr. McMichael—

A bill to provide for hiring felon convicts by the Prison Commission at the expiration of the present contracts; to apportion the net proceeds for said hire.

Referred to Committee on Penitentiary.

By Mr. Comas—

A bill to amend section 1541 of the Code, relative to election laws, relative to petition for prohibition elections.

Referred to the Special Judiciary Committee.

By Mr. Lee—

A bill to amend the Act creating the prison commission.

Referred to Committee on Penitentiary.

By Mr. Comas—

A bill to prescribe rules which shall govern the transportation of the dead in this State.

Referred to the Committee on Hygiene and Sanitation.

By Mr. Mathews—

A bill to repeal section 2349 of the Code, and alter and amend section 2350 of the same.

Referred to the General Judiciary Committee.

By Mr. Sweat—

A bill to provide for enclosed polling places at each election precinct in this State.

Referred to the General Judiciary Committee.

Two hundred copies of Senate bills Nos. 53 and 54 were ordered printed for the use of the Senate.

Leave of absence was granted Senators Christie and Skelton.

Upon motion, the Senate adjourned until Monday morning at 12 o'clock.

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SENATE CHAMBER, ATLANTA, GEORGIA,

Monday, November 17, 1902.

The Senate met pursuant to adjournment at 12 o'clock; was called to order by the President.

Prayer was offered by Senator Atkinson.

Upon the call of the roll the following members answered to their names:

Allen,	Davis,	Jordan,
Atkinson,	Duncan of 10th,	Lee,
Christie,	Duncan of 36th,	Ledford,
Clark,	Golden,	Mathews,
Clements,	Harrell,	McClure,
Comas,	Hightower,	McLean,
Crumbley,	Hopkins,	McMichael,
Dodd,	Hudson,	Merritt,

Middlebrooks,	Roberts,	Taylor,
Moore,	Snead,	Turner,
Park,	Stevens,	Van Buren,
Perry,	Sweat,	Worsham,
Reid,	Symons,	Mr. President.

Those absent were Messrs.—

Lewis,	Skelton,	Tisinger,
Rountree,		

The Journal of Friday was read and approved.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to establish a county court of Wilkes county, and to repeal an Act entitled “an Act to establish a city court of Washington, in and for the county of Wilkes.”

Also, a bill to establish the city court of McRea, in and for the county of Telfair, and for other purposes.

Also, a bill authorizing the village of Summerville to issue bonds for extension of water-works and sewers.

Also, a bill to authorize the village of Summerville to provide and maintain cemeteries, and for other purposes.

Also, a bill to amend section 2145 of the Code of 1895, so as to better fix the venue of suits against insurance companies.

Mr. Ledford, chairman pro tem. of the Committee on Engrossing, submitted the following report:

*Mr. President:*

The Committee on Engrossing have examined and found properly engrossed and ready for transmission to the House the following bills of the Senate, to wit:

A bill to be entitled an Act to change the time of holding superior courts of Union county in the Northeastern Judicial Circuit, and for other purposes.

A bill to be entitled an Act to amend section 1570 of the Code of Georgia.

A bill to be entitled an Act to make it unlawful and punishable as a misdemeanor for any person to hunt upon the lands of another in Columbia county without the written consent of the owner thereof.

A bill to be entitled an Act to amend an Act reviving the office of State Geologist, and for other purposes.

A bill to be entitled an Act to repeal an Act entitled an Act to establish a city court in the county of Hall, and to provide for the appointment of a judge and solicitor thereof, approved August 14, 1891, and all Acts amendatory thereof, and to provide for the disposition of the business in said court.

A bill to be entitled an Act to amend "an Act to create a board of roads and revenues in the county of Hancock; to define their powers and duties, and for other purposes," approved October 5, 1885, and Acts amendatory thereof, so as to provide for the election of the commissioners of roads and revenues in the county of Hancock by the duly qualified electors thereof, and to provide the manner, time and place of said elections, and term of office, and for other purposes.

A bill to be entitled an Act creating a commission to investigate the feasibility of locating an agricultural and industrial school in each Congressional district in this State, and for other purposes.

Respectfully submitted.

LEDFORD, Acting Chairman.

The following resolution was read and adopted:

By Mr. Harrell—

A resolution tendering the use of the Senate Chamber to the Atlanta Camp of U. C. Veterans, for the purpose of holding a meeting to-night.

A report was submitted by the special committee appointed to investigate the convict lease system, and referred to the Committee on Penitentiary.

The following Senate bills were read first time:

By Mr. Middlebrooks—

A bill to provide for hiring one-half of the fenoly convicts by the prison commission, and to provide for the working of the other half.

Referred to Committee on Penitentiary.

By Mr. Snead—

A bill to amend section 4315 of the Code, so as to remove the restriction of holding more than two terms of the superior courts in each county in this State.

Referred to the General Judiciary Committee.

By Mr. Snead---

A bill to increase the number of terms of the Richmond Superior Courts.

Referred to the General Judiciary Committee.

By Mr. Taylor---

A bill to amend paragraph 1, section 1, article 7 of the Constitution, which relates to widows' pensions.

Referred to the Committee on Constitutional Amendments.

By Mr. Park---

A bill to amend the Act approved December 16, 1897, authorizing county, city and town boards of education, prescribing and regulating the manner of making changes in school books.

Referred to Committee on Education.

A communication from the Savannah Board of Trade was read requesting the State to make an exhibit at the St. Louis Exposition.

Senate bill No. 36 was recommitted to the General Judiciary Committee.

The following House bills were read first time:

By Mr. Flynt---

A bill to amend section 2145 of the Code, so as to better fix the venue of suits against insurance companies.

Referred to the General Judiciary Committee.

By Mr. Cook—

A bill to establish the city court of McRea, in the city of McRea, in Telfair county.

Referred to the Special Judiciary Committee.

By Messrs. Alexander and Grenade—

A bill to establish a county court for Wilkes county.

Referred to the Special Judiciary Committee.

By Mr. Dunbar—

A bill to authorize the village of Summerville to provide and maintain cemeteries within or without the limits of said village.

Referred to Committee on Corporations.

By Mr. Dunbar—

A bill to authorize the village of Summerville, in Richmond county, to issue bonds not to exceed \$25,000.00, for water-works purposes.

Referred to Committee on Corporations.

The following House bills were read second time and recommitted:

By Mr. Cook—

A bill to amend the Act incorporating the town of McRea, in Telfair county.

By Messrs. Slaton, Houston and Blackburn—

A bill to amend the charter of the city of Atlanta, so as to provide for the issuing of bonds for sewerage purposes.

By Mr. Franklin—

A bill to amend paragraph 7, section 107 of the Code.

The following Senate bill was read second time:

By Mr. Davis—

A bill to amend the Act incorporating the town of Midville, in Burke county, so as to change the corporate limits of said town.

The following Senate bill was read first time:

By Mr. Davis—

A bill to amend section 311 of the Code, which provides punishment for persons who attempt to rescue those in legal custody on criminal process.

Referred to the General Judiciary Committee.

The following House bill was read second time and re-committed:

By Mr. McHenry—

A bill to amend the Act incorporating the city of Rome, so as to extend the limits of the Myrtle Hill Cemetery.

The following Senate bills were read third time to be put upon their passage:

By Mr. Worsham—

A bill to incorporate the Forsyth school district, in Monroe county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Sweat—

A bill to prohibit the adulteration of turpenitne in this State, and provide punishment for same.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed by substitute.

By Mr. Lee—

A bill to repeal the Act authorizing the Governor to appoint an agent to look after the property of the Western & Atlantic Railroad.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed as amended, and the amendments are as follows: Substitute for section first. Be it enacted by the General Assembly of Georgia, That the Act entitled an Act to authorize the Governor to appoint an agent to look after the property of Georgia in Tennessee, and in Georgia along the line of the Western & Atlantic Railroad; to prescribe his duties; fix his compensation; make an appropriation therefor, and for other purposes, approved December 20, 1892 be, and the same is, hereby repealed.

By Mr. Sweat—

A bill to make it a misdemeanor to be intoxicated on the streets or public roads of this State.

Report of the committee was agreed to.

On motion, the bill was tabled.

At 12:40 the Senate went into executive session.

On motion, the Senate adjourned until to-morrow at 11 o'clock.

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SENATE CHAMBER, ATLANTA, GEORGIA,

Tuesday, November 18, 1902.

The Senate met pursuant to adjournment at 11 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Allen,	Harrell,	Merritt,
Atkinson,	Hightower,	Middlebrooks,
Christie,	Hopkins,	Moore,
Clark,	Hudson,	Park,
Clements,	Jordan,	Perry,
Comas,	Lee,	Reid,
Dodd,	Ledford,	Roberts,
Davis,	Mathews,	Skelton,
Duncan of 10th,	McClure,	Snead,
Duncan of 36th,	McLean,	Stevens,
Golden,	McMichael,	Sweat,

Symons,  
Taylor,  
Tisinger,

Turner,  
Van Buren,

Worsham,  
Mr. President.

Those absent were Messrs.—

Crumbley,

Lewis,

Rountree,

The Journal of yesterday was read and approved.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has concurred in the Senate amendment to House resolution No. 52, in regard to Thanksgiving Day.

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to establish a dispensary in the town of Colquitt, Miller county, Georgia, and for other purposes.

Also, a bill to provide a board of commissioners of roads and revenues for the county of Monroe, and for other purposes.

Also, a bill to repeal an Act providing for payment of insolvent cost due clerk superior court and sheriff of Fayette county

Also, a bill to amend section 151 of volume 3 of the Code of 1895, so as to more fully define "robbery."

Also, a bill to amend the charter of Bronwood, Georgia, so as to appropriate to payment of teachers and erection

of buildings, such money coming from dispensary not otherwise appropriated.

Also, a bill for protection of Confederate and other soldiers, and for other purposes.

Also, a bill to repeal an Act establishing a county court for Butts county, Georgia, and for other purposes.

Also, a bill to repeal an Act establishing a dispensary in the city of Washington, Wilkes county, Georgia, and for other purposes.

Also, a bill to amend section 982 of the Code of Georgia, so as to add the town of Hartwell, in Hart county, Georgia, to the list of State depositories.

The following message was received from the Governor through Mr. Erwin, Secretary Executive Department.

*Mr. President:*

I am directed by his Excellency, the Governor, to deliver to the Senate a sealed communication, and to respectfully ask that same be considered by your honorable body in executive session.

Mr. Perry, chairman General Judiciary Committee, submits the following report:

*Mr. President:*

The General Judiciary Committee has had under consideration the following bills of the Senate, which it instructs me to report back with the recommendation that they do pass:

A bill to increase the number of terms of the superior court of Richmond county, and for other purposes.

Also, a bill to amend section 4315 of the Code of Georgia of 1895, so as to remove the restriction of holding only two terms of the superior court in the several counties of the State, and for other purposes.

Also, a bill to amend section 311 of the Penal Code, which provides punishment for persons who attempt to rescue those in legal custody on criminal process.

Also, that the following bill do pass by substitute:

A bill to fix and prescribe the boundaries of lands bordering on tide waters in this State.

Also, that the following House bill do not pass:

A bill to amend an Act amending paragraph 7 of section 107 of the Code of 1895, approved December 20, 1898, relative to the change of venue in contested election cases.

Respectfully submitted.

H. H. PERRY, Chairman.

Mr. Perry, chairman of the Committee on Constitutional Amendments, submitted the following report:

*Mr. President:*

The Committee on Constitutional Amendments has had under consideration the following bill of the Senate, which it instructs me to report back with the recommendation that the same do pass:

A bill to alter and amend article 8, section 4, paragraph 1 of the Constitution of this State.

Respectfully submitted.

H. H. PERRY, Chairman.

Mr. Duncan, chairman of the Committee on Engrossing, submitted the following report:

*Mr. President:*

The Committee on Engrossing have examined and found correctly engrossed and ready for transmission to the House the following bills of the Senate, to wit:

A bill to be entitled an Act to repeal an Act entitled "an Act to authorize the Governor to appoint an agent to look after the property of the State of Georgia in Tennessee and in Georgia along the line of the Western & Atlantic Railroad; to prescribe his duties, fix his compensation, make an appropriation therefor, and for other purposes," approved December 20, 1892.

A bill to be entitled an Act to make penal the adulteration of, when intended for sale, and the sale, or offering for sale, spirits of turpentine when so adulterated, and for other purposes.

A bill to be entitled an Act to incorporate the Forsyth school district, in Monroe county, and define the boundaries of the same; to establish a board of education therein; to provide for the election of the same, and to confer on said board certain powers; to regulate the management and control of schools in said district, and to provide revenue for the same, and for other purposes.

Respectfully submitted.

A. B. DUNCAN, Chairman.

Mr. Christie, chairman of the Committee on Banks, submitted the following report:

*Mr. President:*

The Committee on Banks have had under consideration the following bill, which they instruct me to report with the recommendation that the same do pass:

A bill to be entitled an Act to amend section 982 of volume 1 of the Code of Georgia of 1895, providing for the selection by the Governor, of banks in certain cities therein named as State depositories, and the several Acts of the General Assembly amendatory thereof, so as to add the city of Swainesboro, Emanuel county, to the list of such cities.

Also, the following bill, which they recommend that the same do not pass:

A bill to provide for the examination of private banks by the bank examiner of the State; to compel the making of statements as now required of incorporated banks; to provide a penalty for failure or refusal to comply therewith, and for other purposes.

Respectfully submitted.

S. R. CHRISTIE, Chairman.

Mr. Davis, Chairman of the Committee on Finance, submits the following report:

*Mr. President:*

The Committee on Finance has had under consideration the following joint resolution of the Senate, which it instructs me to report back with the recommendation that it do not pass:

A joint resolution directing that the assessment on all taxable property of this State for each of the fiscal years of 1902 and 1903 shall not exceed 3 1-2 mills for all purposes.

Respectfully submitted.

DAVIS, Chairman.

The Committee to visit the Sanitarium was given leave of absence for Tuesday, Nov. 25th and Wednesday, 26th.

The following House bills were read first time:

By Messrs. Alexander and Grenade—

A bill to repeal the Act establishing a dispensary in the city of Washington, Wilkes county.

Referred to the Temperance Committee.

By Mr. Beauchamp—

A bill to repeal the Act establishing the county court of Butts county.

Referred to the General Judiciary Committee.

By Mr. Steed—

A bill to protect Confederate and other soldiers mentioned in an Act approved December 9th, 1897.

Referred to the General Judiciary Committee.

By Mr. Bush—

A bill to establish a dispensary in Colquitt, Miller county.

Referred to the Temperance Committee.

By Mr. Wise—

A bill to repeal an Act providing for the payment of insolvent costs due clerk of superior court and sheriff of Fayette county.

Referred to the Special Judiciary Committee.

By Mr. Rainey—

A bill to amend the charter of the town of Bronwood, relative to the payment of school teachers.

Referred to the Special Judiciary Committee.

By Messrs. Shannon and Walker—

A bill to provide for a board of County Commissioners for Monroe county.

Referred to the Corporation Committee.

By Mr. McCurry—

A bill to amend section 982 of the Code by adding the town of Hartwell to the list of State depositories.

Referred to the Committee on Banks.

By Mr. Underwood—

A bill to amend section 151 of volume 3 of the Code.

Referred to the General Judiciary Committee.

Senate resolution No. 9 was withdrawn by its author.

Senate bill No. 25 was taken from the table and recommitteed to the Temperance Committee.

The following Senate bills were read second time :

By Mr. Perry—

A bill to amend section 2180, volume 2 of the Code, which provides for the incorporation and management of suburban street railway companies.

By Mr. Davis—

A bill to amend section 311 of the Penal Code which provides punishment for persons who attempt to rescue those in legal custody on criminal process.

By Mr. Snead—

A bill to amend section 4315 of the code so as to remove the restriction of holding more than two terms of the superior courts in the several counties of this State.

By Mr. Snead—

A bill to increase the number of terms of Richmond superior court.

By Mr. Rountree—

A bill to amend section 982, volume 1 of the Code by adding the city of Swainsboro in Emanuel county to the list of State depositories.

The following House bill was read second time and re-committed to the Special Judiciary Committee.

By Mr. Cook—

A bill to establish the city court of McRae in Telfair county.

The following message was received from the Governor through Mr. Erwin, Secretary:

*Mr. President.*

I am directed by his Excellency, the Governor, to deliver to the Senate a sealed communication and to respectfully ask that same be considered by your honorable body in executive session.

The following Senate bills were read third time and put upon their passage:

By Mr. McMichael—

A bill to alter and amend article 8, section 4, paragraph 1 of the Constitution.

Report of the committee was agreed to.

This being a constitutional amendment, the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen,	Lee,	Roberts,
Atkinson,	Ledford,	Skelton,
Christie,	Mathews,	Snead,
Clark,	McClure,	Stevens,
Comas,	McLean,	Sweat,
Dodd,	McMichael,	Symons,
Davis,	Merritt,	Taylor,
Duncan of 10th,	Middlebrooks,	Tisinger,
Duncan of 36th,	Moore,	Turner,
Harrell,	Park,	Van Buren,
Hopkins,	Perry,	Worsham,
Hudson,	Reid,	Mr. President.
Jordan,		

Those voting in the negative were Messrs.—

Golden,

Those not voting were Messrs.—

Clements,  
Crumbley,

Hightower,  
Lewis,

Rountree,

Ayes 37, nays 1.

The bill having received the requisite constitutional two-third majority, was passed as amended and the bill is as follows:

A bill to be entitled an Act to alter and amend article 8, section 4, paragraph 1 of the Constitution of the State by striking out the words “upon the recommendation of two grand juries,” which begin in the first line after the word “counties” and ends in the second line before the word “and,” and substituting therefor “Militia districts, school districts” and by inserting the words “Militia districts, school districts” in the seventh line after the word “county” and before the word “or,” and further by striking out the word “two-thirds” which begins in the seventh line after the word “a” and ends in the eighth line before the word “vote” and substituting therefor the words “two-third majority of those voting;” and the manner of submitting the same for ratification, and for other purposes.

Section I. Be it enacted by the General Assembly of Georgia, and it is hereby enacted by the authority of the same, That from and after the passage of this Act, that article 8, section 4, paragraph 1 of the Constitution of the State be altered and amended by striking out the words “upon the recommendation of two grand juries,” which begin in the first line after the word “counties” and end in the second line before the word “and,” and substituting therefor the words “Militia districts, school districts,” and by inserting the words “Militia districts school districts”

in the seventh line after the word "county," and before the word "or," and further by striking out the word "two-thirds," which begins in the seventh line after the word "a," and ends in the eighth line before the word "vote," and substituting therefore the words "two-thirds majority of those voting." So that said paragraph shall read when amended as follows, viz.: "Authority may be granted to counties, militia districts, school districts, and to municipal corporations upon the recommendation of the corporate authority, to establish and maintain public schools in their respective limits by local taxation; but no such laws shall take effect until the same shall have been submitted to a vote of the qualified voters in each county, militia district, school district, or municipal corporation, and approved by two-thirds majority of persons voting at such election, and the General Assembly may prescribe who shall vote on such questions.

SEC. II. Be it further enacted, That if this amendment shall be agreed to by two-thirds of the members elected to each of the two houses, the same shall be entered on their Journals, with the ayes and nays taken thereon, and the Governor shall cause said amendment to be published in one or more newspapers in each Congressional district for two months previous to the next general election, and the legal voters at the next general election shall have written or printed on their tickets "Ratification," or "Against Ratification," as they may choose to vote, and if a majority of the electors qualified to vote for members of the General Assembly, voting, shall vote in favor of "Ratification," then said amendment shall become a part of said article 8, section 4, paragraph 1 of the Constitution of this State, and the Governor shall make proclamation thereof.

SEC. III. Be it further enacted, That all laws in conflict with this Act be, and the same are, repealed.

By Mr. Mathews—

A bill to amend section 401 of volume 13 of the Code, relative to gambling.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 31, nays 0.

The bill having received the requisite constitutional majority was passed as amended. The amendments are as follows: Amend section 1, lines 6-15 and 16, by striking the words "or upon the chance of any uncertain event."

By Mr. Symons—

A bill to fix and prescribe the boundaries of land adjacent to or covered by, or bordering on tide water in this State.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 33, nays 0.

The bill having received the requisite constitutional majority was passed by substitute.

By Mr. Skelton—

A bill to amend section 2412, volume 2 of the Code.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

The following House bills were read third time to be put upon their passage:

By Mr. Hardin—

A bill to provide compensation for deputy sheriffs and bailiffs of superior and city courts in this State in counties with a population of 50,000.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Franklin—

A bill to amend paragraph 7, section 107 of the Code.

The report of the committee was agreed to, which was adverse to the passage of the bill, and the bill was lost.

The following Senate bills were read first time:

By Mr. Park—

A bill to amend section 2615 of the Code, which regulates the hours of labor required of persons working in cotton factories.

Referred to the Immigration and Labor Committee.

By Mr. Duncan—

A bill to establish depositories in each county of this State and prescribe their duties and liabilities.

Referred to the Finance Committee.

By Mr. Perry—

A bill to amend article 7, section 1 of the Constitution, so as to limit the annual tax rate to five mills on each dollar.

Referred to the Committee on Constitutional Amendments.

At 12:30 the Senate went into executive session.

On motion, the Senate adjourned until to-morrow morning at 11 o'clock.

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SENATE CHAMBER, ATLANTA, GEORGIA,

Wednesday, November 19, 1902.

The Senate met pursuant to adjournment at 11 o'clock; was called to order by the President.

Prayer was offered by Senator Atkinson.

Upon the call of the roll the following members answered to their names:

Allen,	Hudson,	Reid,
Atkinson,	Jordan,	Roberts,
Christie,	Lee,	Skelton,
Clark,	Ledford,	Snead,
Clements,	Mathews,	Stevens,
Comas,	McClure,	Sweat,
Dodd,	McLean,	Symons,
Davis,	McMichael,	Taylor,
Duncan of 10th,	Merritt,	Tisinger,
Duncan of 36th,	Middlebrooks,	Turner,
Golden,	Moore,	Van Buren,
Harrell,	Park,	Worsham,
Hightower,	Perry,	Mr. President.
Hopkins,		

Those absent were Messrs.—

Crumbley,

Lewis,

Rountree,

The Journal of yesterday was read and approved.

The following message was received from the House through Mr. Beifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following bill of the House, to wit:

A bill to create a new charter for the town of Lumpkin, in Stewart county, Georgia, and for other purposes.

Mr. Ledford, chairman pro tem. of the Special Judiciary Committee, submitted the following report:

*Mr. President:*

The Special Judiciary Committee have had under consideration the following House bills, which they instruct me to report with the recommendation that they do pass:

A bill to be entitled “an Act to amend the charter of the city of Dawson,” so as to reduce the salary of mayor of said city to three hundred dollars per annum.

A bill to be entitled “an Act to amend the charter of the town of Bronwood, Terrell county, Georgia,” approved September 24, 1883, so as to authorize mayor and council thereof to appropriate annually for paying teachers and erecting buildings in said town, any money in the town treasury coming from dispensary located in said town, not otherwise appropriated, and for other purposes.

A bill to be entitled “an Act to alter and amend the Act

to incorporate the town of Sasser, in Terrell county," and for other purposes, approved December 29, 1890, providing for additional councilmen, and for other purposes.

Respectfully submitted.

LEDFORD, Chairman pro tem.

Mr. Duncan, chairman of the Committee on Engrossing, submitted the following report:

*Mr. President:*

The Committee on Engrossing have had for examination the following bills, which they instruct me to report, are correctly engrossed.

A bill to alter and amend article 8, section 4, paragraph 1 of the Constitution of the State of Georgia.

A bill to be entitled "an Act to amend section 401 of volume 3 of the Code of 1895 (commonly known as the Penal Code)," and for other purposes.

A bill to be entitled "an Act to fix and prescribe the boundaries of land adjacent to or covered by, or bordering on, all tide waters in this State which are not contemplated by sections 3058, 3059 and 3060 of the Civil Code of Georgia of 1895, relating to the subject of streams and boundaries, and to prescribe the rights of owners of such adjacent lands within such boundaries, and to define navigable tide waters," and for other purposes.

A bill to be entitled an Act to amend section 2412, volume 2, Code 1895, by striking out of said section the word "fourteen," in the third line of said section, between the words "least" and "years," and substituting in lieu thereof the word "sixteen."

Respectfully submitted.

A. B. DUNCAN, Chairman.

Mr. Perry, chairman of the Committee on General Judiciary, submits the following report:

*Mr. President:*

The General Judiciary Committee have had under consideration the following bills of the Senate, which it instructs me to report back with the recommendation that they do pass:

A bill to change the time of holding elections for Governor, State house officers, and other officers in this State.

Also, a bill to authorize administrators, executors, trustees, receivers and guardians, who are required by law to give bond, to charge cost or premium for such bond, and for other purposes.

Also, that the following bill of the Senate do pass by substitute:

A bill to change the time of meeting of the General Assembly.

Also, that the following bill of the House do pass:

A bill to abolish the county court of Butts county, and for other purposes.

Respectfully submitted.

H. H. PERRY, Chairman.

Mr. Perry, chairman of the Committee on Constitutional Amendments, submitted the following report:

*Mr. President:*

The Committee on Constitutional Amendments has had

under consideration the following bill of the Senate, which it instructs me to report back to the Senate with the recommendation that the same do pass as amended:

A bill to amend paragraph 1, section 1, article 1 of the Constitution, relative to widows' pensions.

Respectfully submitted.

H. H. PERRY, Chairman.

Mr. Middlebrooks, chairman of Committee on Corporations, submits the following report:

*Mr. President:*

The Committee on Corporations have had under consideration the following bill of the Senate, which I am instructed to report back to the Senate with the recommendation that the same do pass:

A bill to be entitled an Act to amend an Act incorporating the town of Midville, in the county of Burke.

Also, the following bills of the House do pass, to wit:

A bill to authorize the village of Summerville, in Richmond county, to issue not exceeding \$25,000.00 of bonds for the purpose of improving water-works and sewerage system of said village.

A bill to authorize the village of Summerville, in Richmond county, to provide and maintain cemeteries within or without the limits of said village.

A bill to amend the several Acts incorporating the city of Rome, and to amend Act repealing the charter of South Rome.

That the following House bill do pass as amended:

A bill to amend the charter of the city of Atlanta, so as to provide for issuing bonds for sewers and water-works.

Respectfully submitted.

L. L. MIDDLEBROOKS, Chairman.

Mr. Christie, chairman of the Committee on Banks, submitted the following report:

*Mr. President:*

The Committee on Banks have had under consideration the following bill, which they instruct me to report with the recommendation that the same do pass:

A bill to be entitled an Act to amend section 982 of the Code of Georgia, by adding the town of Hartwell, in Hart county, Georgia, to the list of State depositories.

Respectfully submitted.

S. R. CHRISTIE, Chairman.

Mr. Comas, chairman of the Committee on Hygiene and Sanitation, submitted the following report:

*Mr. President:*

The Committee on Hygiene and Sanitation have had under consideration the following bill, which they instruct me to report back with the recommendation that the same do pass:

A bill to be entitled an Act to prescribe rules which shall govern in the transportation of the dead in this State, and for other purposes.

Respectfully submitted.

P. H. COMAS, Chairman.

The following message was received from the Governor through Mr. Erwin, Secretary Executive Department.

*Mr. President:*

I am directed by the Governor to deliver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in executive session.

Mr. Mathews, chairman of the Committee on Railroads, submitted the following report:

*Mr. President:*

The Committee on Railroads have had under consideration the following Senate bill, which they instruct me to report with the recommendation that the same do pass as amended:

A bill to be entitled an Act to amend section 2180 of volume 2 of the Code of 1895, by adding to said section "and provided further, that nothing in section 2176 of said preceding division which provides that the general direction and location of railroads sought to be constructed in this State, shall be ten miles from a railroad already constructed or laid out, and selected to be constructed, shall be, or be held applicable to electric, street or suburban or inter-urban railways, or the selection of the route or the construction of the same."

Respectfully submitted.

H. A. MATHEWS, Chairman.

The following Senate bill was read first time:

By Mr. Clements—

A bill to authorize and require the prison commission to

hire the labor of the felony convicts of this State for a period of five years.

Referred to the Committee on Penitentiary.

The following Senate bills were read second time:

By Mr. Skelton—

A bill to change the time of holding the election of Governor, State house officers, and other officers of this State.

By Mr. Hopkins—

A bill to authorize administrators, executors, trustees, receivers and guardians, who are required by law to give bond, to charge cost for same.

By Mr. Skelton—

A bill to change the time of the meeting of the General Assembly from the fourth Wednesday in October to the second Monday in January.

By Mr. Comas—

A bill to prescribe rules which shall govern in the transportation of the dead in this State.

The following House bills were read second time:

By Mr. Rainey—

A bill to amend the charter of the town of Bronwood, in Terrell county.

By Mr. Rainey—

A bill to amend the Act incorporating the town of Sasser.

By Mr. McCurry—

A bill to amend section 982 of the Code by adding the town of Hartwell to the list of State depositories.

By Mr. Beauchamp—

A bill to repeal the Act establishing the county court of Butts county.

By Mr. Dunbar—

A bill to authorize the village of Summerville, in Richmond county, to provide and maintain cemeteries within its limits.

By Mr. Rainey—

A bill to amend the charter of the city of Dawson, so as to reduce the salary of mayor.

By Mr. Dunbar—

A bill to authorize the village of Summerville to issue \$25,000.00 in bonds.

By Mr. Bush—

A bill to establish and maintain a dispensary in Colquitt, Miller county.

This bill was recommitted to the Temperance Committee.

The following Senate bills were read third time to be put upon their passage:

By Mr. Snead—

A bill to amend section 4315 of the Code, so as to re-

move the restriction of holding only two terms of superior court in the several counties of this State.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Snead—

A bill to increase the number of terms of Richmond superior court.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Davis—

A bill to amend section 311 of the Penal Code.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Davis—

A bill to amend the Act incorporating the town of Midville, in Burke county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Rountree—

A bill to amend section 982, volume 1 of the Code by adding the city of Swainsboro to the list of State depositories.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Perry—

A bill to amend section 2180 of volume 2 of the Code, which provides for the incorporation and control of suburban and street railway companies.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 36, nays 0.

The bill having received the requisite constitutional majority was passed as amended, and the amendments are as follows: Amend caption of bill on the 15th line by striking out the comma after the word "electric," and by striking out the word "or" after the word "street." Amend section 1 in 17th line by striking out the comma after the word "electric," and by striking out the word "or" after the word "street;" also by striking out the comma after the word "electric," in the 48th line of said section, and by

striking out the word "or" after the word "street," in said 48th line of said section.

The following House bill was read first time:

By Mr. Crumbley—

A bill to create a new charter for the town of Lumpkin, Stewart county, and to establish a dispensary in said town.

Referred to the Committee on Corporations.

The following Senate bill was read second time:

By Mr. Taylor—

A bill to amend paragraph 1, section 1, article 1 of the Constitution, which relates to widows' pension.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

*Mr. President:*

The Committee on Corporations have had under consideration the following House bill, which they instruct me to report with the recommendation that the same do pass:

A bill to amend an Act approved August 28, 1889, entitled "an Act to incorporate the town of McRae, in the county of Telfair, and to grant certain powers and privileges to said town," and for other purposes.

Respectfully submitted.

L. L. MIDDLEBROOKS, Chairman.

The following House bills were read third time to be put upon their passage:

By Mr. McHenry—

A bill to amend the several Acts incorporating the city of Rome, so as to extend the limits of Myrtle Hill Cemetery.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Cook—

A bill to amend an Act incorporating the town of McRea, in the county of Telfair.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 33, nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bill was read first time:

By Mr. Mathews—

A bill to amend section 2167 of the Code, relative to railroad crossings, by prescribing and regulating terms thereof.

Referred to the Committee on Railroads.

The following House bill was read second time and re-committed to the Special Judiciary Committee.

By Mr. Rogers—

A bill to change the time for holding the fall term of the superior court of McIntosh county.

At 12 o'clock the Senate went into executive session.

On motion, the Senate adjourned until to-morrow morning at 11 o'clock.

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SENATE CHAMBER, ATLANTA, GEORGIA,

Thursday, November 20, 1902.

The Senate met pursuant to adjournment at 11 o'clock; was called to order by the President.

Prayer was offered by Senator Allen.

Upon the call of the roll the following members answered to their names:

Allen,	Hopkins,	Reid,
Atkinson,	Hudson,	Roberts,
Christie,	Jordan,	Skelton,
Clark,	Lee,	Snead,
Clements,	Ledford,	Stevens,
Comas,	Mathews,	Sweat,
Crumbley,	McClure,	Symons,
Dodd,	McLean,	Taylor,
Davis,	McMichael,	Tisinger,
Duncan of 10th,	Merritt,	Turner,
Duncan of 36th,	Middlebrooks,	Van Buren,
Golden,	Moore,	Worsham,
Harrell,	Park,	Mr. President.
Hightower,	Perry,	

Those absent were Messrs.—

Lewis,

Rountree,

The Journal of yesterday was read and approved.

The following message was received from the Governor through Mr. Erwin, his Secretary:

*Mr. President:*

I am directed by the Governor to deliver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in executive session.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following House bill, to wit:

A bill to revise the election laws of Georgia, and for other purposes.

Mr. Duncan, chairman of the Committee on Engrossing, submitted the following report:

*Mr. President:*

The Committee on Engrossing have examined the following bills, and have found the same correctly engrossed and ready for transmission to the House:

A bill to amend section 2180 of the Code of 1895, which provides for the incorporation, control and management of suburban and street railway companies, and for other purposes.

A bill to amend section 982 of the Code of 1895, providing for the selection by the Governor of banks in certain cities as State depositories, so as to add the city of Swainsboro, in Emanuel county, to such list.

A bill to amend the Act incorporating the town of Midville, Burke county, so as to change the corporate limits of said town, and for other purposes.

A bill to increase the number of terms of the superior court of Richmond county, and for other purposes.

A bill to amend section 4315 of the Code of 1895, so as to remove the restriction of holding only two terms of the superior court in the several counties of the State, and for other purposes.

A bill to amend section 311 of the Penal Code, which provides punishment for persons who attempt to rescue those in legal custody on criminal process.

Respectfully submitted.

A. B. DUNCAN, Chairman.

Mr. Tisinger, chairman of the Special Judiciary Committee, submits the following report:

*Mr. President:*

The Special Judiciary Committee has had under consideration the following bills of the House, which I am instructed to report back to the Senate with the recommendation that the same do pass, to wit:

A bill to repeal an Act entitled "an Act to provide for the payment of insolvent cost due the clerk of the superior court and the Sheriff of the county of Fayette," approved February 20, 1873.

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The committee also recommends the following bills of the House do pass as amended :

A bill to be entitled an Act to establish the city court of McRae, in the city of McRae, in and for the county of Telfair, and for other purposes.

A bill to change the time of holding the fall term of superior court of McIntosh county, in the Atlantic Circuit, etc.

The committee also recommends that the following bill of the Senate be recommitted to the Finance Committee :

A bill to amend section 812 of the Code of 1895.

The committee also recommends the following bill of the Senate do not pass, to wit :

A bill to prohibit the acceptance and use of passes, franks, franchises, etc., by judges of the Supreme, superior, city and county courts, solicitors-general of said courts and the attorney-general of the State, and for other purposes.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. Perry, chairman of the General Judiciary Committee, submits the following report :

*Mr President:*

The General Judiciary Committee has had under consideration the following bill of the Senate, which it instructs me to report back with the recommendation that it do not pass :

A bill to regulate the sale of mortgaged property under power of sale.

Also, that the following bill of the Senate be reported back with the recommendation that it be referred to the Committee on Constitutional Amendments.

A bill to amend paragraph 2, section 2 of article 7 of the Constitution, so as to exempt investments in cotton industries from taxation.

Respectfully submitted.

H. H. PERRY, Chairman.

Mr. Duncan, chairman of the Committee on Temperance, submitted the following report:

*Mr. President:*

The Committee on Temperance have had under consideration the following House bill, which they instruct me to report with the recommendation that the same do pass:

A bill to establish, maintain and regulate a dispensary in the town of Colquitt, Miller county, Georgia, and for other purposes.

Also, the following Senate bill which they recommend do pass by substitute as amended:

A bill to make it a misdemeanor to be intoxicated upon any street or public road in this State, and for other purposes.

Respectfully submitted.

DUNCAN (36th), Chairman.

Senate bill No. 31 was recommitted to the Finance Committee.

Senate bill No. 18 was recommitted to the Committee on Constitutional Amendments.

The following House bill was read first time:

By Mr. Kelly—

A bill to revise the election laws of Georgia.

Referred to the General Judiciary Committee.

The following House bill was read second time and re-committed to the Temperance Committee.

By Messrs. Alexander and Grenade—

A bill to repeal the Act establishing a dispensary in Washington, Wilkes county.

Mr. Snead, vice-chairman of the Committee on Penitentiary, submitted the following report:

*Mr. President:*

The Committee on Penitentiary have had under consideration the following Senate bill, which they instruct me to report with the recommendation that the same do pass:

A bill to authorize and require the prison commission to hire the labor of felony convicts, after the expiration of the present contracts, for a period of five years.

They have also had under consideration the following Senate bills, which they recommend do not pass:

A bill to provide for hiring of felony convicts by the prison commission at the expiration of the present contracts; to apportion the net proceeds from said hire, and for other purposes.

A bill empowering the present commission to hire the labor of certain felony convicts for five years after the expiration of present contracts; to dispose of the money arising therefrom, and to authorize the Governor and the prison commission to impose fines upon certain county authorities for a failure to comply with the law and regulations governing misdemeanor chain-gangs, and for other purposes.

A bill to provide for hiring one-half of the felony convicts by the prison commission after the expiration of the present contracts, and to provide for working the other half on the public works of the counties of this State, and for other purposes.

Respectfully submitted.

CLAIBORNE SNEAD, Vice-Chairman.

The following House bill was read second time:

By Mr. Wise—

A bill to repeal the Act providing for the payment of certain costs to the sheriff and clerk of Fayette county.

The following Senate bills were read third time to be put upon their passage:

By Mr. Skelton—

A bill to change the time for the election for Governor and other officers in this State.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Skelton—

A bill to change the time for meeting of the General Assembly of Georgia from fourth Wednesday in October to second Wednesday in January.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed by substitute.

By Mr. Hopkins—

A bill to authorize administrators, executors, trustees, receivers and guardians to charge for executing bond.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Comas—

A bill to provide for the transportation of the dead in this State.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

Senate bill No. 62 was tabled.

The following House bill was read third time to be put upon its passage:

By Mr. Rogers—

A bill to change the time for holding the fall term of McIntosh superior court.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed as amended, and the amendments are as follows:

By adding at the end of section 2 the following: "And all petitions, bills, bonds, writs, summons, mesne and final process, and other processes of whatever kind now returnable to and pending in said superior court as now provided for, shall hold good and relate to the term of said court as change fixed and provided by this Act."

This bill was ordered immediately transmitted to the House.

The following Senate bills were read first time:

By Mr. Howell—

A bill to amend an Act to carry into effect article 3, section 7, paragraph 18 of the Constitution, relative to insurance companies.

Referred to the Committee on Corporations.

By Mr. Perry—

A bill to provide for a judgment or verdict at the first term in all cases in the courts of this State.

Referred to the General Judiciary Committee.

The following Senate bill was read second time and re-committed to the Special Judiciary Committee.

By Mr. Comas—

A bill to amend section 1541 of the Code, relative to number of names to be signed to petition for elections for or against the sale of liquor.

Senate bill No. 3 was recommitted to the General Judiciary Committee.

The following House bills were read third time to be put upon their passage:

By Mr. Rainey—

A bill to amend the charter of the city of Dawson, so as to reduce the salary of mayor.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Dunbar—

A bill to authorize the village of Summerville, in Richmond county, to maintain cemeteries within or without the limits of said town.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Dunbar—

A bill to authorize the village of Summerville to issue bonds not to exceed \$25,000.00 for the purpose of improving water-works.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Slaton, Houston and Blackburn—

A bill to amend the charter of the city of Atlanta; to provide for the issuance of bonds.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. McCurry—

A bill to amend section 982 of the Code by adding the town of Hartwell to the list of State depositories.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Rainey—

A bill to amend the Act incorporating the town of Sasser, in Terrell county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Bush—

A bill to establish and maintain a dispensary in Colquitt, Miller county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Rainey—

A bill to amend the charter of Bronwood, in Terrell county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27; nays, 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Cook—

A bill to establish the city court of McRae in the county of Telfair.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29; nays, 0.

The bill having received the requisite constitutional majority was passed as amended and the amendments are as follows:

By striking out section 11 and inserting in lieu thereof the following:

Section 11. Be it further enacted by the authority aforesaid, That the terms of said city court shall be monthly and quarterly, the monthly terms for the trial and disposition of criminal and civil business, to be held on the third Mondays in each month. Said court shall have jurisdiction at the monthly terms thereof to dispose of all civil business when the amount of the principal sued for does not exceed the sum of \$100 and said terms shall be the trial terms as to said civil business. The quarterly terms of said court shall be held for the trial and disposition of either or both criminal and civil business, to be held on the third Mondays in January, April, July and October. The first term of said court under this Act shall be held on the third Monday in December, 1902. The terms of such court shall be held at the court house in the city of McRae, in the county of Telfair, for which, when necessary, juries shall be drawn as hereinafter directed, and shall last until the business is disposed of, unless sooner adjourned for good cause. The judge of said court shall, in his discretion, hold his court at the same place at any other time than the regular term

for the transaction of criminal business which does not require a jury as speedily as possible consistent with the interest of the State and the accused, and may also hold adjourned terms of the regular monthly or quarterly terms of said city court, for which he may draw new juries or require the attendance of the same as in his sound legal discretion he may deem best. Said city court judge may also, in his discretion, set cases for trial at convenient times, and the same may then be tried as of the term whether the court has been held from day to day until said time or not. And that the clerk and sheriff each be entitled to two dollars cost in each case at the monthly term for their services.

House bill No. 42 was recommitted to the General Judiciary Committee.

On motion, when the Senate adjourns tomorrow it will stand adjourned until Monday morning at 12 o'clock.

The following Senate bill was read second time:

By Mr. Clements—

A bill to authorize and require the Prison Commission to hire the labor of the felony convicts of said State after the present contracts expire.

The following House bill was read second time and re-committed to the Corporation Committee.

By Mr. Crumbly—

A bill to create a new charter for the town of Lumpkin, and for other purposes.

The following committee was granted leave of absence until Monday to visit convict camps:

Hudson, Van Buren, Clements, McMichael, Sweat, Middlebrooks, Atkinson, Snead, Allen, McClure, Duncan, 10th; Park, Lee, McLean, Moore, Golden, Dodd.

Committee on Blind Asylum was granted leave of absence for next Monday.

Senator Reed was granted leave of absence on account of sickness.

At 12 o'clock the Senate went into Executive session.

On motion, the Senate adjourned until to-morrow morning at 11 o'clock.

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SENATE CHAMBER, ATLANTA, GEORGIA,

Friday, November 21, 1902.

The Senate met pursuant to adjournment at 11 o'clock; was called to order by the President.

Prayer was offered by Rev. Dr. Glenn.

On motion, the roll-call was dispensed with.

The Journal of yesterday was read and approved.

The following message was received from the House through Mr. Boifenillet, the Clerk thereof:

*Mr. President:*

The House has concurred in the Senate amendment to the following bill of the House, to wit:

A bill to change the time of holding the fall term of McIntosh Superior Court, and for other purposes.

Mr. Ledford, chairman pro tem. of the Committee on Engrossing, submitted the following report:

*Mr. President:*

The Committee on Engrossing has examined the following bills, which they have found correctly engrossed and ready for transmission to the House:

A bill to change the time of meeting of the General Assembly from the fourth Wednesday in October to the fourth Wednesday in June, and for other purposes.

A bill to change the time of holding the elections for Governor, etc., from the first Wednesday in October to Tuesday after the first Monday in November, and for other purposes.

A bill to authorize the executors, administrators, *et al.*, who are required to give bond to charge as costs the premium for such bond, and for other purposes.

A bill to prescribe rules for the transportation of the dead in this State, and for other purposes.

Respectfully submitted.

M. L. LEDFORD, Chairman pro tem.

Mr. Tisinger, Chairman of the Special Judiciary Committee, submits the following report:

*Mr. President:*

The Special Judiciary Committee has had under consideration the following bill of the Senate, which I am in-

structed to report back to the Senate with the recommendation that the same do pass, to wit:

A bill to amend section 1541 of volume 1 of the Code of Georgia, and for other purposes.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. Davis, chairman of the Committee on Finance, submitted the following report:

*Mr. President:*

The Committee on Finance has had under consideration the following Senate resolution, which they instruct me to report with the recommendation that the same do pass as amended:

A joint resolution directing that the assessment on all taxable property in this State for the fiscal years 1902 and 1903 shall not exceed three and one-half mills for all purposes.

Also, the following Senate bill, which they recommend do not pass:

A bill to establish county depositories in each county in this State, to prescribe their duties and liabilities, and for other purposes.

Respectfully submitted.

W. H. DAVIS, Chairman.

The following House bill was read second time and re-committed to the General Judiciary Committee:

By Mr. Steed—

A bill to protect Confederate and other soldiers men-

tioned in an Act of the General Assembly of the State approved December 9, 1897

The following Senate bills were read first time:

By Mr. Davis—

A bill requiring that the ordinary shall attest and approve official bonds in the several counties of this State.

Referred to the General Judiciary Committee.

The following Senate bills were read second time with adverse report from committee:

The committee report was agreed to and the bills were lost.

By Mr. Christie—

A bill to make it lawful to make insurance companies and other persons who may be indemnifying the defendant party defendant and jointly liable.

By Mr. Snead—

A bill to require all chartered banks in this State to be kept open for the transaction of business at least five hours per day.

By Mr. Davis—

A bill to provide for the examination of private banks by the State Bank Examiner.

By Mr. McMichael—

A bill to provide for hiring of felony convicts by the Prison Commission at the expiration of the present contracts, and for other purposes.

By Mr. Duncan—

A bill to establish county depositories in each county of this State, and to prescribe their duties and liabilities.

The following Senate bill was read second time and recommitted to the Railroad Committee:

By Mr. Mathews—

A bill to amend section 2167 of the Code relative to railroad crossings.

Senate bill No. 46 was recommitted to the General Judiciary Committee.

Senate bills Nos. 54 and 59 were tabled.

The following Senate bills were read first time:

By Mr. Park—

A bill to provide for the testing and mode of testing the illuminating qualities of illuminating oil, and to provide a penalty for violation of same.

Referred to the Agriculture Committee.

By Mr. Perry—

A bill to require defendants in all cases at common law or in equity in the courts of record of this State in which the defendant shall in his answer set up new matters not controverting the plaintiff's petition or plead a set off or recoupment or file an answer by way of cross bill setting up as a ground for relief additional facts, to set forth such answer in paragraphs, and for other purposes.

Referred to the General Judiciary Committee.

On motion, the Senate adjourned until Monday morning at 12 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA,

Monday, November 24, 1902.

The Senate met pursuant to adjournment at 12 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

On motion, the roll-call was dispensed with.

Mr. Snead moved to reconsider the action of the Senate in defeating the following bill of the Senate:

By Mr. Snead—

A bill to require all chartered banks in this State to keep open at least five hours per day for the transaction of business.

This bill was reconsidered and tabled.

The Journal of Friday was read and approved.

The following Senate bills were read first time:

By Mr. Comas—

A bill to enlarge the powers of the Railroad Commission of this State.

Referred to the Railroad Committee

By Mr. Comas—

A bill to compel railroads in this State to run at least one train each way daily except on Sunday.

Referred to the Committee on Railroads.

By Mr. Comas—

A bill to amend section 752 of the Code, relative to the transfer of indictments from the Superior Court to county court.

Referred to the General Judiciary Committee.

By Mr. Hopkins—

A bill to amend the charter of the city of Thomasville, in Thomas county.

Referred to the Corporation Committee.

By Mr. Hopkins—

A bill to incorporate the town of Merrillville, in Thomas county.

Referred to the Corporation Committee.

The following message was received from the Governor through Mr. Erwin, his Secretary:

*Mr. President:*

I am directed by the Governor to deliver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in Executive session.

Mr. Dodd, chairman on Immigration and Labor, submits the following report:

*Mr. President:*

The Committee on Immigration and Labor has had under consideration the following bill of the Senate, which

it instructs me to report back with recommendation that same do pass:

A bill to be entitled an Act to amend section 2615 of the Civil Code of the State of Georgia of 1895, which limits and regulates the hours of labor required of persons employed in all cotton or woolen manufacturing establishments in this State.

W P DODD, Chairman.

Mr. Duncan, Chairman of Committee on Temperance, submitted the following report:

*Mr. President:*

The Committee on Temperance has had under consideration the following bill of the House, which it instructs me to report back with recommendation that the same do pass:

A bill to repeal the Act to establish a dispensary in the city of Washington, Wilkes county, Georgia.

Respectfully submitted.

DUNCAN (36th), Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to amend section 5113 of the Civil Code, and for other purposes.

Also, a bill to regulate manner in which claimants shall set out grounds constituting basis of claim, and for other purposes.

Also, a bill to amend the charter of the city of Rome, referring to mayor and council.

Also, a bill to amend the charter of the city of Cedar-town, in Polk county, and for other purposes.

Also, a bill to amend section 670 of the Penal Code, relating to cheating or defrauding a firm or corporation.

Also, a bill to amend an Act entitled "an Act to regulate and control the taking and catching of oysters and fish from the public waters of this State," etc.

Also, a bill to change and fix the time of holding the superior court of Greene county, in the Ocmulgee Circuit, and for other purposes.

Also, a bill to amend the charter of the city of Temmille, and for other purposes.

Also, a bill to repeal an Act providing for the issuing of bonds by the town of Norcross, in Gwinnett county, for the purchasing of school property, and for other purposes.

Also, a bill to authorize the clerks of the city courts of this State to appoint deputy clerks, and for other purposes.

Also, a bill providing for the situs of debts due to non-residents for purposes of attachment, and for other purposes.

Also, a bill to prescribe the manner of selling, or otherwise disposing of cocaine, and for other purposes.

Also, a bill to amend section 573 of the Penal Code of 1895, relating to terrapins.

Also, a bill to amend an Act providing for employment of inspectors of roads and bridges in certain counties.

Also, a bill to cede to the United States jurisdiction over certain public road approaches to Chickamauga National Park, and for other purposes.

Also, a bill to amend section 2754 of the Code of 1895, providing for foreclosure of mortgages before due, and for other purposes.

Also, a bill to amend an Act to create a board of commissioners of roads and revenues for the county of Glynn, and for other purposes.

Also, a bill to amend the charter of the Buena Vista Loan and Savings Bank, and for other purposes.

Also, a bill to extend the corporate limits of the city of Albany, Georgia, and for other purposes.

Also, a bill to amend an Act to amend the charter of the town of Maysville, in Jackson and Banks counties, and for other purposes.

Also, a bill to amend an Act creating the charter of the city of Milledgeville, and for other purposes.

Also, a bill to abolish the city court of Waynesboro, and for other purposes.

Also, a bill to amend an Act creating a new charter for the town of Temple, and for other purposes.

Also, a bill to amend the charter of the city of Valdosta, and for other purposes.

Also, a bill repealing the charter of the town of Statesboro, in Bulloch county, and for other purposes.

Also, a bill to incorporate the village of Obe, in Colquitt county, into the town of Norman Park, and for other purposes.

Also, a bill to create a board of commissioners of roads and revenues for DeKalb county, and for other purposes.

Also, a bill to amend an Act establishing the city court of Waycross, in the county of Ware.

Also, a bill to amend section 9 of an Act establishing the city court of Waycross, relating to clerk of said court.

Also, a bill to repeal an Act creating a board of commissioners of roads and revenues for the county of Walton, and for other purposes.

Also, a bill to prohibit manufacture of intoxicating liquors, except domestic wines, in the county of Douglas, and for other purposes.

Also, a bill to repeal an Act to incorporate the city of Tifton, Georgia, and for other purposes.

Also, a bill to repeal an Act incorporating the town of Statham, in Jackson county, and for other purposes.

Also, a bill to provide for removal of obstructions, except dams used for operating mills or machinery, from creeks and other running streams in Monroe county, and for other purposes.

Also, a bill to regulate traffic in seed cotton in Elbert, Wilkes and Lincoln counties, and for other purposes.

Also, a bill to amend the charter of the city of Hamilton, and for other purposes.

Also, a bill to repeal an Act incorporating the town of Ocilla, and for other purposes.

Also, a bill to repeal an Act establishing the city court of Jefferson, in Jackson county, and for other purposes.

Also, a bill to amend an Act creating dispensaries in Pulaski county, and for other purposes.

The House has passed by the requisite constitutional majority the following resolution of the House, in which the concurrence of the Senate is asked, to wit:

A resolution to appropriate \$15,000 to repair Capitol building.

The House has passed by the requisite constitutional majority the following Senate bill, to wit:

A bill to amend the charter of the town of Flintstone, Walker county, and for other purposes.

The following House bills were read first time:

By Mr. Slaton—

A bill to amend section 5113 of the Code, so as to allow executions to be amended by clerk of court from which same were issued.

Referred to the General Judiciary Committee.

By Mr. Felder—

A bill to regulate the manner in which claimants in

claim cases shall set out grounds which constitute basis of such claim, and for other purposes

Referred to the General Judiciary Committee.

By Mr. McHenry—

A bill to amend the charter of the city of Rome, prescribing the powers and duties of mayor and councilmen.

Referred to the Committee on Corporations.

By Mr. Slaton—

A bill to amend section 670 of the Code of Georgia, which provides punishment for cheating and defrauding.

Referred to the General Judiciary Committee.

By Mr. Ayres—

A bill to alter and amend the charter of the city of Cedartown, in Polk county.

Referred to the Committee on Corporations.

By Mr. Davidson—

A bill to change and fix the time for holding the superior court in Greene county

Referred to the Special Judiciary Committee.

By Mr. Franklin—

A bill to amend the charter of the city of Tennille by enlarging the incorporate limits.

Referred to the Committee on Corporations.

By Mr. Pate—

A bill to repeal the Act to provide for the issuing of bonds by the town of Norcross, in Gwinnett county.

Referred to the Committee on Education.

By Messrs. Butts of Glynn and Proctor of Camden—

A bill to amend an Act entitled "an Act to regulate the taking and catching of oysters and fish from the public waters of this State."

Referred to the General Judiciary Committee.

By Mr. Hardin—

A bill to authorize the clerks of the city courts of this State to appoint deputies and to define their powers and duties.

Referred to the General Judiciary Committee.

By Mr. Slaton—

A bill providing for the situs of debts due to non-residents for purpose of attachment.

Referred to the General Judiciary Committee.

By Mr. Felder—

A bill to prescribe the manner of selling or otherwise dispensing cocain in this State.

Referred to the Committee on Hygiene and Sanitation.

By Mr. Butts—

A bill to amend section 573 of the Code, by making it

unlawful for any person to be found in possession of any terrapin of a less size than 5 1-2 inches, etc.

Referred to the General Judiciary Committee.

By Mr. Flynt—

A bill to amend the Act to provide for the employment of inspectors of roads and bridges for all counties with a population of 75,000, or more.

Referred to the Special Judiciary Committee.

By Mr. Stanford—

A bill to amend the charter of the city of Hamilton, in Harris county.

Referred to the Committee on Corporations.

By Mr. Paulk—

A bill to repeal an Act incorporating the town of Ocilla and the several Acts amendatory thereof.

Referred to the Committee on Corporations.

By Mr. Spence—

A bill to amend the Act establishing the city court of Waycross, so far as the same applies to the clerk of said court.

Referred to the Special Judiciary Committee.

By Mr. Holder—

A bill to repeal the Acts incorporating the town of Stat-ham, in Jackson county.

Referred to the Committee on Corporations.

By Messrs. Duckett of Banks and Hardeman and Holder of Jackson—

A bill to amend the charter of Maysville, in Jackson and Banks counties.

Referred to the Committee on Corporations.

By Mr. Shannon—

A bill to provide for removal of obstructions, except dams used for operating mills, be removed from the running streams of Monroe county.

Referred to the Special Judiciary Committee.

By Messrs. Hawes and Martin of Elbert, Boykin of Lincoln, and Alexander and Grenade of Wilkes—

A bill to regulate the traffic in seed cotton in the counties of Elbert, Wilkes and Lincoln, and provide for penalty for violation of same.

Referred to the General Judiciary Committee.

By Messrs. Hardeman and Holder—

A bill to repeal an Act establishing the city court of Jefferson, in Jackson county

Referred to the Special Judiciary Committee.

By Mr. Nisbet—

A bill to abolish the city court of Waynesboro, in Burke county.

Referred to the Special Judiciary Committee.

By Mr. Grice—

A bill to amend the Act creating a dispensary in Pulaski county.

Referred to the Committee on Temperance.

By Mr. Kent—

A bill to amend section 2754 of the Code, which provides for the foreclosure of mortgages.

Referred to the General Judiciary Committee.

By Mr. Yates—

A bill to cede to the United States jurisdiction over certain lands in Catoosa county.

Referred to the General Judiciary Committee.

By Mr. Edwards—

A bill to amend the charter of the Buena Vista Loan and Savings Bank.

Referred to the Committee on Banks.

By Mr. Butts—

A bill to amend the Act creating the board of commissioners of roads and revenues for Glynn county.

Referred to the Special Judiciary Committee.

By Mr. Newton—

A bill to incorporate the village of Obe, in Colquitt county.

Referred to the Committee on Corporations.

By Mr. Whitley—

A bill to prohibit the manufacture of intoxicating liquors in Douglas county.

Referred to the Committee on Temperance.

By Mr. Spence—

A bill to amend the Act establishing the city court of Waycross, in Ware county.

Referred to the Special Judiciary Committee.

By Messrs. Candler and Mayson—

A bill to create a board of roads and revenues for DeKalb county.

Referred to the Special Judiciary Committee.

By Mr. West—

A bill to amend the charter of the city of Valdosta.

Referred to the Committee on Corporations.

By Mr. Howard—

A bill to amend the Act creating the charter of the city of Milledgeville.

Referred to the Special Judiciary Committee.

By Messrs. Deal and Miller—

A bill to repeal the charter of the town of Statesboro, in Bulloch county.

Referred to the Special Judiciary Committee.

By Messrs. Steed and Hixon—

A bill to amend the Act creating a new charter for the town of Temple, in Carroll county

Referred to the Committee on Corporations.

By Messrs. Booth and Lawrence—

A bill to repeal an Act creating a board of commissioners of roads and revenues for Walton county.

Referred to the Special Judiciary Committee.

By Mr. Jones—

A bill to extend the corporate limits of the city of Albany.

Referred to the Committee on Corporations.

By Mr. Knight—

A bill to repeal an Act incorporating the city of Tifton.

Referred to the Special Judiciary Committee.

The following House resolution was read first time:

By Mr. Steed—

A resolution to appropriate the sum of \$15,000.00 for the purpose of making the necessary repairs on the Capitol building.

Referred to the Committee on Appropriations.

The following Senate bills were read first time:

By Mr. Merritt—

A bill to reorganize the military laws of this State, and to adopt and make of force a military code for the State.

Referred to the Committee on Military Affairs.

By Mr. Harrell—

A bill to amend section 982 of the Code of Georgia, by adding the city of Pelham to the list of State depositories.

Referred to the Committee on Banks.

The following resolution was read first time:

By Mr. Comas—

A resolution to provide for the burning of all cancelled State bonds and coupons of the State Treasurer, and for other purposes.

Ordered engrossed.

By unanimous consent Senator Crumbley was added to the Finance Committee, and Senator McMichael was added to the Committee on School for Deaf and Dumb.

On motion, the Senate adjourned until to-morrow morning at 11 o'clock.

## SENATE CHAMBER, ATLANTA, GEORGIA,

Tuesday, November 25, 1902.

The Senate met pursuant to adjournment at 11 o'clock; was called to order by the President.

Prayer was offered by Senator Atkinson.

On motion, the roll-call was dispensed with.

The Journal of yesterday was read and approved.

Mr. Mathews, chairman of the Committee on Railroads, submitted the following report:

*Mr. President:*

The Committee on Railroads have had under consideration the following Senate bill, which they instruct me to report with the recommendation that the same do pass:

A bill to enlarge the powers of the railroad commission of Georgia.

Respectfully submitted.

H. A. MATHEWS, Chairman.

Mr. Christie, chairman of Committee on Banks, submits the following report:

*Mr. President:*

The Committee on Banks has had under consideration the following bill of the Senate, which it requests me to report back with recommendation that same do pass:

A bill to be entitled an Act to amend section 982 of volume 1 of the Code of Georgia of 1895, by adding the city

of Pelham, in Mitchell county, Georgia, to the list of such cities.

Respectfully submitted.

S. R. CHRISTIE, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to authorize the mayor and aldermen of the town of Dallas, Ga., to purchase school buildings, and for other purposes.

Also, a bill to amend an Act establishing the police court of Savannah, Ga., and for other purposes.

Also, a bill to establish the city court of Hamilton, in Harris county, Georgia.

Also, a bill to amend an Act to incorporate the town of Pinchurst, and for other purposes.

Also, a bill to incorporate the town of Edison, in Calhoun county, and for other purposes.

Also, a bill to establish the city court of Waynesboro, in Burke county, and for other purposes.

Also, a bill to provide a new charter for the town of Edgewood, in DeKalb county.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

*Mr. President:*

The Committee on Corporations, has had under consideration the following Senate bills which they instruct me to report with the recommendation that they do pass:

A bill to incorporate the town of Merrillville, in Thomas county; define the corporate limits, etc., and for other purposes.

A bill to amend the charter of the city of Thomasville as embodied in Act of October 3, 1889, so as to provide for the election of certain officers, and for other purposes.

Respectfully submitted.

L. L. MIDDLEBROOKS, Chairman.

The following Senate bills and resolutions were read second time:

By Mr. Comas—

A resolution providing for the burning of all cancelled State bonds and coupons of the State Treasurer.

By Mr. Hopkins—

A bill to incorporate the town of Merrillville, in Thomas county.

By Mr. Park—

A bill to amend section 2615 of the Code, which regulates the hours of labor employed in cotton factories.

By Mr. Hopkins—

A bill to amend the charter of the city of Thomasville, in Thomas county.

By Mr. Comas—

A bill to enlarge the powers of the railroad commission in Georgia.

By Mr. Harrell—

A bill to amend section 982 of the Code by adding the city of Pelham to the list of State depositories.

The following House bills were read first time:

By Mr. McElmurray—

A bill to establish the city court of Waynesboro, in Burke county.

Referred to the Special Judiciary Committee.

By Mr. Beall—

A bill to authorize the mayor and aldermen of the town of Dallas to purchase and equip school buildings.

Referred to the Committee on Education.

By Mr. Stanford—

A bill to establish the city court of Hamilton, in Harris county.

Referred to the Special Judiciary Committee.

By Mr. Candler—

A bill to provide for a new charter for the town of Edgewood, in DeKalb county.

Referred to the Special Judiciary Committee.

By Mr. Stewart—

A bill to incorporate the town of Edison, in Calhoun county.

Referred to the Committee on Corporations.

By Mr. Fields—

A bill to amend the Act incorporating the town of Pinehurst, in Dooly county.

Referred to the Committee on Corporations.

By Mr. Cann—

A bill to amend the Act establishing the police court in the city of Savannah.

Referred to the Committee on Corporations.

The following Senate resolution was read first time:

By Mr. Perry—

A resolution requesting our representatives in Congress to use their influence to procure the reimbursement to the State of Georgia certain money paid to soldiers in the war of 1836.

Ordered Engrossed.

The following Senate bills were read first time:

By Mr. Lee—

A bill for the protection of the officers and employees of the Georgia penitentiary at the various camps of this State.

Referred to the Committee on Penitentiary.

By Mr. Lee—

A bill to authorize the Governor to require the Attorney-General of the State to perform without compensation, all duties now incumbent on the attorney for the Western & Atlantic Railroad.

Referred to the Committee on W & A. R. R.

By Mr. Perry—

A bill to authorize street and suburban railroad companies incorporated under the laws of this State under certain circumstances, to condemn a right to the common use and occupancy of the tracks of other street car companies.

Referred to the Committee on Railroads.

By Mr. Park—

A bill to amend section 942 of the Penal Code, relative to the call of the criminal dockets.

Referred to the General Judiciary Committee.

The following Senate bill was read second time and re-committed to the Committee on Military Affairs.

By Mr. Merritt—

A bill to reorganize the military laws of this State, and to make of force a military code.

The following House bill was read third time and put upon its passage:

By Mr. Wise—

A bill to repeal the Act providing for the payment of in-

solvent costs due clerk of superior court and sheriff of Fayette county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority, was passed.

At 11:50 o'clock the Senate went into executive session.

On motion, the Senate adjourned until to-morrow morning at 11 o'clock.

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SENATE CHAMBER, ATLANTA, GEORGIA,

Wednesday, November 26, 1902.

The Senate met pursuant to adjournment at 11 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon motion, the roll-call was dispensed with.

The Journal of yesterday was read and approved.

The following Senate bill was read first time:

By Mr. Ledford—

A bill to more effectively provide for proper attestation

of instruments in writing upon which summary proceedings may be had in justice courts.

Referred to the General Judiciary Committee.

The following Senate resolution was read first time :

By Mr. Howell—

A resolution authorizing the erection of a monument on the Capitol grounds to Lieutenant Brumby

Referred to the Committee on Public Property

The following Senate bills were read second time :

By Mr. Perry—

A bill to authorize street and suburban railroad companies incorporated under the laws of this State to condemn certain lands.

This bill was referred to the Committee on Railroads.

By Mr. McLean—

A bill to provide for license for carrying pistols, and to provide when the same shall go into effect.

This bill was referred to the General Judiciary Committee.

The following House bill was read second time and referred to the Special Judiciary Committee: -

By Mr. Candler—

A bill to provide a new charter for the town of Edgewood, in DeKalb county.

Senate bill No. 67 was recommitted to the Committee on Immigration and Labor.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to authorize the mayor and council of Palmetto, in Campbell county, to issue bonds for school purposes.

Also, a bill to amend section 982 of the Code of 1895, so as to add Montezuma, Ga., to the list of State depositories.

Also, a bill to establish a system of public schools in the city of Ocilla, Ga., and for other purposes.

Also, a bill to amend an Act creating a board of police commissioners for the city of Augusta, Ga., and for other purposes.

Also, a bill to amend the charter of the city of Columbus, in the county of Muscogee, and for other purposes.

Also, a bill to amend an Act incorporating the town of Fayetteville, so as to make same the city of Fayetteville, and for other purposes.

Also, a bill to create a board of commissioners of roads and revenues for the county of Rockdale.

Also, a bill to incorporate the town of Pineview, in the county of Wilcox, and for other purposes.

Also, a bill to incorporate the town of Statham, in Jackson county, and for other purposes.

Also, a bill to create a new charter for the town of Richland, in Stewart county.

Also, a bill requiring persons seeking a writ of certiorari to correct judgment of recorder's court, and other police courts; to give bond, and for other purposes.

Also, a bill providing for removal of obstructions from creeks and other running streams in Hall county.

Also, a bill to amend section 187 of volume 3 of the Code of 1895, so as to more fully define stealing, and for other purposes.

Also, a bill to amend section 642 of volume 3 of Code of 1895, so as to require the putative father to give bond for the expenses of lying in with child, and for other purposes.

Mr. Perry, chairman of the General Judiciary Committee, submits the following report:

*Mr. President:*

The General Judiciary Committee has had under consideration the following bill of the Senate, which it instructs me to report back with the recommendation that it do pass as amended:

A bill to require defendant in all cases at common law or in equity in the courts of record of this State, in which the defendant shall, in his answer, set up new matters not controverting the plaintiff's petition, or plead a set-off or recoupment, or file an answer by way of cross bill, setting

up as a ground for relief additional facts, to set forth such answer in paragraphs, and to require the plaintiff to meet such answer by appropriate pleading, and for other purposes.

Also, that the following bill do pass by substitute :

A bill prescribing usury on money advanced on cotton or other products.

Also, that the following bills do not pass :

A bill to amend section 4313, volume 2 of the Code, in regard to disqualification of judges of superior and city courts of this State.

Also, a bill to prohibit acceptance and use of passes, franks, franchises, etc., by the attorney-general, judges and solicitors of this State.

Also, a bill to amend section 942 of the Penal Code of 1895, relating to the call of criminal dockets, and for other purposes.

Also, that the following bill of the House do pass :

A bill to abolish the county court of Butts county, and for other purposes.

Respectfully submitted.

H. H. PERRY, Chairman.

The following House bills were read first time :

By Mr. Dunbar—

A bill to amend the Act creating the board of police commissioners for the city of Augusta.

Referred to the Special Judiciary Committee.

By Mr. Crumbley—

A bill to create a new charter for the town of Richland, in Stewart county.

Referred to the Committee on Corporations.

By Mr. Dunbar—

A bill to require any person seeking a writ of certiorari to correct the judgment of a recorder's court, or other police court of any town or city.

Referred to the General Judiciary Committee.

By Mr. Almond—

A bill to create a board of commissioners of roads and revenues for the county of Rockdale.

Referred to the Special Judiciary Committee.

By Mr. Reid—

A bill to authorize the mayor and council of Palmetto to issue bonds.

Referred to the Special Judiciary Committee.

By Mr. Bowen—

A bill to incorporate Pineview, in Wilcox county.

Referred to the Committee on Corporations.

By Mr. Miller—

A bill to amend the charter of the city of Columbus.

Referred to the Committee on Corporations.

By Mr. Hardeman—

A bill to incorporate the town of Statham, in Jackson county.

Referred to the Committee on Corporations.

By Mr. Underwood—

A bill to amend section 642 of volume 3 of the Code.

Referred to the General Judiciary Committee.

By Mr. Underwood—

A bill to amend section 187 of volume 3 of the Code, so as to more fully define stealing in this State.

Referred to the General Judiciary Committee.

By Mr. Paulk—

A bill to establish and maintain a public school system in the city of Ocilla.

Referred to the Committee on Education.

By Mr. Thompson—

A bill to provide for the removal of obstructions of all kinds from the running streams of Hall county.

Referred to the Agricultural Committee.

By Mr. Wise—

A bill to amend the Act incorporating the town of Fayetteville, so as to make the city of Fayetteville.

Referred to the Committee on Corporations.

By Mr. Hayes—

A bill to amend section 982 of the Code by adding the city of Montezuma to the list of State depositories.

Referred to the Committee on Banks.

By unanimous consent Senate bill No. 85 was withdrawn by its author.

Mr. McMichael was granted leave of absence on account of sickness.

Mr. Davis was added to the Military Committee.

Mr. Park was added to the Finance Committee.

On motion, the Senate will stand adjourned until Friday morning at 12 o'clock, when it adjourns to-day.

Mr. Duncan moved that when the Senate adjourns on Friday it will stand adjourned until Monday morning at 12 o'clock. On this motion the ayes and nays were called and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen,	Ledford,	Park,
Atkinson,	Mathews,	Snead,
Duncan of 10th,	McClure,	Sweat,
Hudson,	Moore,	Taylor,
Lee,		

Those voting in the negative were Messrs.—

Christie,	Harrell,	Perry,
Dodd,	Hopkins,	Skelton,
Davis,	Middlebrooks,	Stevens,

Those not voting were Messrs.—

Clark,	Jordan,	Rountree,
Clements,	Lewis,	Symons,
Comas,	McLean,	Tisinger,
Crumbley,	McMichael,	Turner,
Duncan of 36th,	Merritt,	Van Buren,
Golden,	Reid,	Worsham,
Hightower,	Roberts,	

President votes aye.

On the adoption of the motion the ayes **were 13**, nays **9**.

The motion was carried.

The following Senate bills were read second time:

By Mr. Perry—

A bill to require defendant in all cases at common law, or in equity, in the courts of record of this State in which the defendant shall, in his answer, set up new matters not controverting the plaintiff's petition, or plead a set-off or recoupment or file an answer by way of cross bill setting up as a ground for relief additional facts, and for other purposes.

By Mr. Snead—

A bill to declare as usury a charge of more than 8 per cent. interest on money loaned on cotton or other produce.

The following Senate bills were read third time to be put upon their passage:

By Mr. Hopkins—

A bill to amend the charter of the city of Thomasville, in Thomas county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Harrell—

A bill to amend section 982 of the Code by adding the city of Pelham to the list of State depositories.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Hopkins—

A bill to incorporate the town of Merrillville, in the county of Thomas.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

The following joint resolution was read third time and put upon its passage:

By Mr. Harrell—

A resolution directing that the assessment on all taxable property of this State for each of the fiscal years 1902 and 1903 shall not exceed 3 1-2 mills for all purposes.

Report of the committee was agreed to.

Upon the passage of the resolution the ayes were 25, nays 0.

The resolution having received the requisite constitutional majority was passed as amended, and the amendments are as follows: Amend by inserting "five mills" wherever "three mills" occur in the resolution.

The following resolution was read second time:

By Mr. Perry—

A resolution instructing the Governor to request our representatives in Congress to use their influence to procure the reimbursement to the State of Georgia certain money paid out in the war of 1836.

The following House bills were read third time to be put upon their passage:

By Messrs. Alexander and Grenade—

A bill to repeal the Act establishing a dispensary in Washington, Wilkes county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Beauchamp—

A bill to repeal the Act establishing the county court of Butts county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed:

Senator Hudson was granted leave of absence from Friday's session.

Senators Taylor and Hopkins were granted leave of absence from Friday's session.

On motion, the Senate adjourned until Friday morning at 12 o'clock.

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SENATE CHAMBER, ATLANTA, GEORGIA,

Friday, November 28, 1902.

The Senate met pursuant to adjournment at 12 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon motion, the roll-call was dispensed with.

The Journal of Wednesday was read and approved.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to extend the corporate limits of the city of Carrollton, in Carroll county, and for other purposes.

Also, a bill to amend an Act entitled "an Act to create a county court in each county of the State," except certain counties therein mentioned, so far as relates to Greene county.

Also, a bill to require all prison-made good to be labeled "prison-made," and for other purposes.

Also, a bill to amend section 982, volume 1, Code of '95, so as to add the city of Barnesville, in Pike county, to list of State depositories.

Also, a bill to incorporate the town of Finleyson, in Pulaski county.

Also, a bill to incorporate the Waynesboro Academy, in the city of Waynesboro, and for other purposes.

Also, a bill to amend an Act entitled "an Act to amend and renew the various Acts incorporating the town of Waynesboro," and which make same a city, and for other purposes.

Also, a bill to amend an Act creating a board of county commissioners for the county of Berrien, and for other purposes.

Also, a bill to amend the charter of Columbus, so as to provide for a system of water-works, and for other purposes.

Also, a bill to amend the several Acts incorporating the city of Sandersville, in Washington county, and for other purposes.

Also, a bill to repeal an Act incorporating and amending the charter of the town of Jonesboro, in Clayton county.

Also, a bill to establish the city court of Jefferson, in Jackson county

Mr. Duncan, chairman of the Committee on Engrossing, submitted the following report:

*Mr. President:*

The Committee on Engrossing has examined the following Senate bills, which it finds are correctly engrossed and ready for transmission to the House:

A bill to incorporate the town of Merrillville, in the county of Thomas.

A bill to amend the charter of Thomasville as embodied in the Act of October 3, 1889.

A bill to amend section 982 of the Code, so as to add the city of Pelham to the list of cities with State depositories.

Also the following Senate resolution:

A resolution directing that the assessment on all taxable property for the years 1902 and 1903 shall not exceed five mills for all purposes.

Respectfully submitted.

A. B. DUNCAN, Chairman.

Mr. Lee, chairman of the Committee on Penitentiary, submitted the following report:

*Mr. President:*

The Penitentiary Committee has had under consideration the following bill of the Senate, which it instructs me to report back to the Senate with the recommendation that the same do pass as amended:

A bill for the protection of officers and employees of the penitentiary at the different camps in this State.

Respectfully submitted.

GORDON LEE, Chairman.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

*Mr. President:*

The Committee on Corporations has had under consideration the following House bills, which they instruct me to report with the recommendation that they do pass:

A bill to amend the charter of Rome, prescribing the duties, powers and terms of office of mayor and councilmen.

A bill to incorporate the town of Edison, Calhoun county, and for other purposes.

A bill to amend the charter of the city of Tennille.

A bill to incorporate the village of Obe, in Colquitt county, into the town of Norman Park; provide a charter therefor, and for other purposes.

A bill to alter and amend the charter of the city of Cedartown, in Polk county.

A bill to amend the charter of the city of Hamilton, in Harris county.

A bill to amend the Act approved November 23, 1901, creating a new charter for the town of Temple, Georgia.

A bill to repeal the Acts incorporating the town of Stat-  
ham, in Jackson county.

A bill to extend the corporate limits of the city of Albany, Georgia.

A bill to repeal the Act approved November 24, 1897, incorporating the town of Ocilla.

A bill to amend the charter of the city of Valdosta.

A bill to amend the Act approved September 30, 1885, amending the charter of the town of Maysville, in Jackson and Banks counties.

A bill to amend section 1 of "an Act to amend the law establishing the police court of the city of Savannah.

Also, that the following bill do pass as amended:

A bill to amend an Act to incorporate the town of Pinehurst approved December 16, 1895.

Respectfully submitted.

L. L. MIDDLEBROOKS, Chairman.

Mr. Ledford, chairman pro tem. of the Special Judiciary Committee, submitted the following report:

*Mr. President:*

The Special Judiciary Committee has had under consideration the following House bill, which they instruct me to report with the recommendation that the same do pass:

A bill to provide a new charter for the town of Edgewood, in the county of DeKalb.

Respectfully submitted.

M. L. LEDFORD, Chairman pro tem.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

*Mr. President:*

The Committee on Corporations has had under consideration the following House bills, which it instructs me to report with the recommendation that they do pass:

A bill to incorporate the town of Statham, in Jackson county.

A bill to amend the Act incorporating the town of Fayetteville, so as to make it the city of Fayetteville, and for other purposes.

A bill to amend the charter of the city of Columbus, Muscogee county, Georgia.

A bill to incorporate the town of Pineview, in Wilcox county.

Also, the following House bills, which it instructs me to report back without recommendation:

A bill to create a new charter for the town of Lumpkin, Stewart county.

A bill to create a new charter for the town of Richland, in Stewart county.

Respectfully submitted.

L. L. MIDDLEBROOKS, Chairman.

Mr. Merritt, chairman of the Committee on Military Affairs, submitted the following report:

*Mr. President:*

The Committee on Military Affairs has had under consideration the following Senate bill, which it instructs me

to report with the recommendation that the same do pass as amended :

A bill to reorganize the military forces of this State, to adopt a military code, and for other purposes.

Respectfully submitted.

R. L. MERRITT, Chairman.

Mr. Christie, chairman on the part of the Senate of the joint committee to examine the books of the Comptroller-General and Treasurer, submits the following report:

*Mr. President:*

Your committee has carefully examined the books and vouchers of the Comptroller-General's office, including all the business done by that department since the examination by a like committee from the last Legislature, and find them correct. We commend the able head of this department and his assistants as eminently worthy of the trust the people of Georgia have reposed in them. Your committee has also made a careful examination of the condition of the State Treasurer's office, and find that no money is paid out by the Treasurer except upon proper vouchers and that he has on hand all the money with which he stands charged on the books of the Comptroller-General. We think the State's funds are in safe and capable hands. We recommend that the cancelled bonds and coupons now in the treasury vault be destroyed.

Respectfully submitted.

S. R. CHRISTIE, Chairman.

PHILIP H. COMAS,

JOHN T. DUNCAN.

The following House bills were read first time and referred :

By Mr. Grice—

A bill to incorporate the town of Finleyson, in Pulaski county.

Referred to the Committee on Corporations.

By Mr. Owen—

A bill to amend section 982 of volume — of the Code of 1895, so as to add the city of Barnesville, in Pike county, to the list of State depositories.

Referred to the Committee on Banks.

By Messrs. McHenry, Knowles and Ennis—

A bill to require all prison-made goods to be labelled "prison-made."

Referred to the General Judiciary Committee.

By Mr. Knight—

A bill to amend the Act creating a board of county commissioners for the county of Berrien.

Referred to Special Judiciary Committee.

By Messrs. Evans and Franklin—

A bill to amend, consolidate and supersede the several Acts incorporating the city of Sandersville, in Washington county, and to create a new charter and a municipal government for said city.

Referred to Committee on Corporations.

By Messrs. Nisbet and McElmurray—

A bill to incorporate the Waynesboro Academy, in the city of Waynesboro.

Referred to Committee on Corporations.

By Messrs. McElmurray and Nisbet—

A bill to amend and renew the various Acts incorporating the town of Waynesboro so as to make the same a city.

Referred to Committee on Corporations.

By Mr. Mitcham—

A bill to repeal the Act incorporating and amending the charter of the town of Jonesboro, Georgia, in the county of Clayton.

Referred to Committee on Corporations.

By Messrs. Steed and Hixon—

A bill to extend the corporate limits of the city of Carrollton, of the county of Carroll.

Referred to Committee on Corporations.

By Mr. Davison—

A bill to amend the Act entitled “an Act to create a county court in each county of the State of Georgia, except certain counties therein mentioned,” so far as relates to the county of Greene.

Referred to the Special Judiciary Committee.

By Mr. Miller—

A bill to amend the charter of Columbus, in Muscogee county, so as to provide for a system of waterworks.

Referred to Committee on Corporations.

By Messrs. Hardeman and Holder—

A bill to establish the city court of Jefferson, which shall be located in the city of Jefferson, Jackson county, Georgia, to define its jurisdiction, powers, etc., and for other purposes.

Referred to the General Judiciary Committee.

The following House bills were read second time:

By Mr. McHenry—

A bill to amend the charter of the city of Rome, prescribing the duties, powers and terms of office of mayor and councilmen.

By Mr. Stewart—

A bill to incorporate the town of Edison, in the county of Calhoun, and for other purposes.

By Mr. Newton—

A bill to incorporate the village of Obe, in the county of Colquitt into the town of Norman Park and provide a charter therefor, and for other purposes.

By Mr. Franklin—

A bill to amend the charter of the city of Tennille and to enlarge the corporate limits.

By Mr. Ayres—

A bill to alter and amend the charter of the city of Cedar-town.

By Mr. Stanford—

A bill to amend the charter of the city of Hamilton, in Harris county, relating to the compensation of the marshal.

By Messrs. Steed and Hixon—

A bill to amend the Act approved November 23, 1901, creating a new charter for the town of Temple, Georgia, by amending section 3 and repealing section 13 of said Act.

By Mr. Holder—

A bill to repeal the Acts approved December 20, 1892, and December 16, 1895, incorporating the town of Stat-ham, in Jackson county.

By Mr. Jones—

A bill to extend the corporate limits of the city of Albany, Georgia, by incorporating contiguous territory.

By Mr. Paulk—

A bill to repeal an Act approved November 24, 1897, incorporating the town of Ocilla, and the several Acts amendatory thereof.

By Mr. West—

A bill to amend the charter of the city of Valdosta approved November 21, 1901, so as to provide for double taxing property not returned for taxation within the time approved by law.

By Mr. Cann—

A bill to amend section 1 of the Act to amend the law establishing the police court of the city of Savannah.

By Messrs. Duckett, Hardeman and Holder—

A bill to amend the Act approved September 30, 1885, entitled an Act to amend the charter of the town of Maysville, in Jackson and Banks counties, so as to provide for school bonds.

By Mr. Fields—

A bill to amend the Act incorporating the town of Pinehurst, approved December 16, 1895, so as to establish a system of public schools for said town.

By Messrs. Hardeman and Holder—

A bill to incorporate the town of Statham, in Jackson county.

By Mr. Wise—

A bill to amend the Act approved December 24, 1888, incorporating the town of Fayetteville so as to make it the city of Fayetteville.

By Mr. Miller—

A bill to amend the charter of the city of Columbus so as to confer authority upon the city of Columbus to exercise jurisdiction over all the territory within three miles of the city limits.

By Mr. Bowen—

A bill to incorporate the town of Pineview, in the county of Wilcox.

By Mr. Crumbley—

A bill to create a new charter for the town of Richland, in Stewart county.

On motion of Senator Christie, House bills Nos. 330 and 239 recommitted to Committee on Corporations.

The following Senate bill was read the second time:

By Mr. Lee—

A bill to protect the officers and employees of the Georgia penitentiary at the various camps throughout the State.

The following message was received from his Excellency, the Governor, through his Secretary, Mr. Irwin, to wit:

*Mr. President:*

I am directed by his Excellency, the Governor, to deliver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in executive session.

The following Senate bills were read for the first time and referred:

By Mr. Perry—

A bill to repeal an Act approved December 17, 1898, entitled "an Act to amend the Act establishing the city court of Hall county, approved August 14, 1891," so that the solicitor-general of the Northeastern Circuit shall not be *ex officio* solicitor of said city court.

Referred to the General Judiciary Committee.

By Mr. Comas—

A bill to prohibit the selling or giving to any felony convict in this State, any spirituous or intoxicating liquors, and to prescribe a penalty for the same.

Referred to the Committee on Penitentiary.

By Mr. Van Buren—

A bill to repeal the Act to reduce the compensation of the treasurer of the county of Wilkinson; to fix compensation of the commissioners of roads and revenues of said county, and to provide compensation for their clerk, and for other purposes.

Referred to the Committee on Corporations.

Upon motion of Mr. Comas of the 3d district, at 12:30 p.m. the Senate went into executive session.

Leave of absence until Wednesday morning was granted Mr. Christie of the 11th district, and Mr. Stevens of the 30th district.

Upon motion, the Senate adjourned to meet Monday next, at 12 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA,

Monday, December 1, 1902.

The Senate met pursuant to adjournment at 12 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

On motion, the roll-call was dispensed with.

The Journal of Friday was read and approved.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to establish one or more dispensaries for the sale of intoxicating liquors in Taylor county, and for other purposes.

Also, a bill to amend section 982, volume 1, Code of 1895, so as to add the city of Louisville, in the county of Jefferson, to the list of State depositories.

Also, a bill to amend section 982, of the Code of 1895, so as to add the town of Thomson, in McDuffie county, to the list of State depositories.

Also, a bill to amend the severad Acts incorporating the town of Louisville, Jefferson county, Georgia, so as to provide for water-works, etc.

Also, a bill to incorporate the town of Soperton, in Montgomery county, and for other purposes.

Also, a bill to amend the charter of the town of Boston, so as to enlarge the taxing powers of mayor and council.

Also, a bill to provide for practice in the city court of Atlanta, in reference to defaults, and for other purposes.

Also, a bill to establish a dispensary in the city of Ocilla, Irwin county, Georgia, and for other purposes.

Also, a bill to amend an Act to establish a city court in the county of Bartow, and for other purposes.

Also, a bill to change the time of holding the superior court of Glascock county, and for other purposes.

Also, a bill to amend an Act approved November 7, 1889, so as to make the town of Buchanan the city of Buchanan.

Also, a bill to amend an Act to establish the city court of Valdosta, in the county of Lowndes.

Also, a bill to change the time of holding the Superior Court of Telfair county in the Oconee circuit, and for other purposes.

Also, a bill to repeal an Act providing for the application of all public school funds to the Douglasville College that is distributed to school children within corporate limits of said town.

Also, a bill to incorporate the town of Bethlehem, in Walton county.

Also, a bill to incorporate the Vega school district, in Pike county.

The House has passed by the requisite constitutional majority the following bills of the Senate, to wit:

A bill to make it unlawful and punishable as a misdemeanor for any person to hunt upon the lands of another in Columbia county without written consent of owner.

Also, a bill to amend an Act to create a board of roads and revenues in the county of Hancock, and for other purposes.

Also, a bill to amend section 982, Code of 1895, so as to add the city of Baxley in Appling and Douglasville in Douglas counties to list of State depositories.

Also, a bill to repeal an Act to create a county court in each county of this State in so far as same applies to the county of Marion.

Also, a bill to amend section 982, volume 1, Code of Georgia, so as to add the town of LaFayette to list of State depositories.

The House adopted the following resolution of the House in which the concurrence of the Senate is asked, to wit:

A resolution providing for a joint committee from the House and Senate to visit University of Georgia on the occasion of the annual commencement, June, 1903.

The House has passed by the requisite constitutional majority the following House bills, to wit:

A bill to incorporate the city of Statesboro, in Bulloch county.

Also, a bill to incorporate the city of Ocilla, in Irwin county.

Also, a bill to incorporate the city of Tifton, in Berrien county.

Also, a bill to establish the city court of Fayetteville, in the county of Fayette.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

*Mr. President:*

The Committee on Corporations has had under consideration the following House bills which they instruct me to report with the recommendation that they do pass:

A bill to extend the corporate limits of the city of Carrollton.

A bill to amend, consolidate and supersede the several Acts incorporating the city of Sandersville.

A bill to incorporate the town of Finleyson, in Pulaski county.

A bill to amend the charter of Columbus, so as to provide a system of water-works.

A bill to repeal the charter of the town of Jonesboro, Clayton county, Georgia.

A bill to amend the charter of the city of Waynesboro, Georgia

A bill to incorporate the Waynesboro Academy, in the city of Waynesboro, Georgia.

Respectfully submitted.

MIDDLEBROOKS, Chairman.

Mr. Comas, vice-chairman of the Committee on Banks, submitted the following report:

*Mr. President:*

The Committee on Banks have had under consideration the following House bill which they instruct me to report with the recommendation that the same do pass:

A bill to add the city of Barnesville, Pike county, Georgia, to the list of State depositories.

Respectfully submitted.

P. H. COMAS, Vice-Chairman.

Mr. Symons, chairman of the Committee on Enrollment, submitted the following report:

*Mr. President:*

The Committee on Enrollment reports as duly enrolled and ready for the signatures of the President of the Senate and Speaker of the House the following Act, to wit:

An Act to amend the charter of the town of Flintstone, Walker county, Georgia, so as to provide for a system of public schools in and for said town, and for other purposes.

Respectfully submitted.

W. F. SYMONS, Chairman.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

*Mr. President:*

The Special Judiciary Committee has had under consideration the following House bills, which it instructs me to report with the recommendation that they do pass:

A bill to amend an Act to create a board of police commissioners for the city of Augusta.

A bill to amend the charter of the city of Milledgeville.

A bill to amend an Act to create a county court in each county of the State, except certain counties therein mentioned, so far as relates to the county of Greene.

A bill to establish the city court of Hamilton, Harris county.

A bill to change the time of holding the superior court of Greene county.

A bill to provide for removal of obstructions, except dams used for operating mills or machinery, from creeks and other running streams in Monroe county.

A bill to repeal an Act to establish the city court of Jefferson, in Jackson county, and to abolish the city court of Jefferson.

A bill to abolish the city court of Waynesboro.

A bill to amend the Act to create a board of commissioners of roads and revenues for Glynn county.

A bill to repeal the charter of the town of Statesboro.

A bill to authorize the mayor and council of Palmetto, in Campbell county, to issue bonds for school purposes.

Also, the following House bill, which it instructs me to report with the recommendation that the same do pass as amended:

A bill to create a board of commissioners of roads and revenues for the county of DeKalb; to prescribe for the election of members, and for other purposes.

Respectfully submitted.

B. L. TISINGER, Chairman.

The following message was received from the Governor through his Secretary, Mr. Erwin:

*Mr. President:*

I am directed by the Governor to deliver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in executive session.

Mr. Comas, chairman of the Committee on Hygiene and Sanitation, submits the following report:

*Mr. President:*

The Committee on Hygiene and Sanitation have had under consideration the following bill of the House, which it requests me to report back with recommendation that same do pass:

A bill to be entitled an Act to prescribe the manner of selling, or otherwise dispensing of cocain; to provide a penalty for the violation of the provisions of this Act, and for other purposes.

Respectfully submitted.

P. H. COMAS, Chairman.

The following House bills were read first time:

By Mr. Cook—

A bill to change and fix the time for holding the superior court in Telfair county.

Referred to the Special Judiciary Committee.

By Mr. Wooten—

A bill to incorporate the town of Soperton, in Montgomery county.

Referred to Committee on Corporations.

By Mr. Conner—

A bill to amend the Act establishing the city court of Bartow.

Ordered engrossed.

By Mr. Slaton—

A bill to provide for practice in city court of Atlanta in reference to defaults.

Referred to the General Judiciary Committee.

By Mr. Paulk—

A bill to establish a dispensary in the city of Ocilla, in Irwin county.

Referred to the Temperance Committee.

By Mr. Booth—

A bill to incorporate the town of Bethlehem, in Walton county.

Referred to the Committee on Corporations.

By Mr. Owen—

A bill to incorporate Vega school district in Pike county.

Referred to the Committee on Education.

By Mr. Rountree—

A bill to amend the charter of the town of Boston, in Thomas county.

Referred to the Committee on Corporations.

By Mr. Phillips—

A bill to amend, consolidate and supersede the several Acts incorporating the town of Louisville, in Jefferson county.

Referred to the Committee on Corporations.

By Mr. Whitley—

A bill to repeal an Act providing for the application of all public school funds to the Douglasville College that is distributed to school children within the corporate limits of said town.

Referred to the Committee on Education.

By Mr. Steed—

A bill to establish one or more dispensaries in Taylor county.

Referred to the Committee on Temperance.

By Mr. Kelly—

A bill to change the time for holding Glascock superior court.

Referred to the Special Judiciary Committee.

By Mr. Phillips—

A bill to amend section 982 of the Code, so as to add the city of Louisville to the list of State depositories.

Referred to the Committee on Banks.

By Mr. West—

A bill to amend the Act establishing the city court of Valdosta, in Lowndes county.

Referred to the Special Judiciary Committee.

By Mr. Hutcheson—

A bill to amend an Act approved November 7, 1889, so as to make the town of Buchanan the city of Buchanan.

Referred to the Committee on Corporations.

By Mr. Watson—

A bill to amend section 982 of the Code, by adding the town of Thomson to the list of State depositories.

Referred to the Committee on Banks.

By Mr. Wise—

A bill to establish a city court in Fayetteville, Fayette county.

Referred to the Special Judiciary Committee.

By Mr. Knight—

A bill to incorporate the city of Tifton, in Berrien county.

Referred to the Committee on Corporations.

By Messrs. Deal and Miller—

A bill to incorporate the city of Statesboro, in Bullock county.

Referred to the Committee on Corporations.

By Mr. Paulk—

A bill to incorporate the city of Ocilla, in Irwin county.

Referred to the Committee on Corporations.

The following House resolution was read first time and concurred in:

By Mr. Calvin—

A resolution for the appointment of a joint committee to visit the State University during commencement.

Committee on part of Senate are Senators McMichael, Atkinson, Lee, Park, Stevens, Middlebrooks, Moore, Ledford, Tisinger, Skelton.

The following House bill was read second time:

By Mr. Felder—

A bill to provide the manner of selling cocaine in this State.

The following Senate bill was read first time:

By Mr. Tisinger—

A bill to incorporate the town of Atwater, in Upson county.

Referred to Committee on Corporations.

The following House bills were read second time:

By Mr. Stanford—

A bill to establish the city court of Hamilton, in Harris county.

By Messrs. Evans and Franklin—

A bill to amend, consolidate and supersede the several Acts incorporating the city of Sandersville.

By Mr. Shannon—

A bill to provide for the removal of obstructions of all kinds, except dams for running mills, from the streams of Monroe county.

By Mr. Owen—

A bill to amend section 982 of the Code, so as to add the city of Barnesville to the list of State depositories.

By Mr. Grice—

A bill to incorporate the town of Finleyson, in Pulaski county.

By Messrs. Steed and Hixon—

A bill to extend the corporate limits of the city of Carrollton, in Carroll county.

By Messrs. Nisbet and McElmurray—

A bill to incorporate the Waynesboro Academy, in the city of Waynesboro.

By Messrs. Candler and Mayson—

A bill to create a board of commissioners of roads and revenues for the county of DeKalb.

By Mr. Mitcham—

A bill to repeal the Act approved August 24, 1872, and amendments incorporating, and amending the charter of Jonesboro, in Clayton county.

By Messrs. McElmurray and Nisbet—

A bill to amend an Act approved December 15, 1893; to amend and renew the various Acts incorporating the town of Waynesboro, and make the same a city.

By Mr. Butts—

A bill to amend the Act creating the board of commissioners of roads and revenues for Glynn county.

By Mr. Nisbet—

A bill to abolish the city court of Waynesboro.

By Messrs. Hardeman and Holder—

A bill to repeal the Act establishing the city court of Jefferson, in Jackson county.

By Mr. Miller—

A bill to amend the charter of the city of Columbus, so as to establish system of water-works.

By Mr. Davison—

A bill to amend the Act creating the county court of Greene county.

By Messrs. Deal and Miller—

A bill to repeal the Act creating the charter of the town of Statesboro, in Bullock county.

By Mr. Davidson—

A bill to change and fix the time of holding the superior courts in Greene county.

By Mr. Dunbar—

A bill to amend the Act creating the board of police commissioners for the city of Augusta.

By Mr. Reid—

A bill to authorize the mayor and council of Palmetto, in Campbell county, to issue bonds.

By Mr. Howard—

A bill to amend the Act creating the charter for the city of Milledgeville, in Baldwin county.

The following Senate bill was read second time:

By Mr. Park—

A bill to amend an Act approved December 16, 1897,

authorizing county, city and town boards of education of the several counties of this State to make changes in the school books for public schools.

The following House bill was read second time and re-committed to the Special Judiciary Committee.

By Mr. McElmurray—

A bill to establish the city court of Waynesboro, in Burke county.

The following House bills were read third time and put upon their passage:

By Mr. Candler—

A bill to provide a new charter for the town of Edgewood, in DeKalb county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Miller—

A bill to amend the charter of the city of Columbus, in Muscogee county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bill was read first time:

By Mr. Hopkins—

A bill to provide for the dissolution of corporations by the superior courts in certain instances on petition of stockholders.

Referred to the General Judiciary Committee.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

*Mr. President:*

The Committee on corporations has had under consideration the following Senate bill which it instructs me to report with the recommendation that the same do pass:

A bill to repeal the Act to reduce the compensation of the treasurer of Wilkinson county, etc., approved February 23, 1876.

Respectfully submitted.

MIDDLEBROOKS, Chairman.

The following House bills were read second time and re-committed to the General Judiciary Committee:

By Messrs. Hardeman and Holder—

A bill to establish the city court of Jefferson, in the city of Jefferson.

By Mr. Slaton—

A bill to amend section 5113 of the Civil Code, so as to allow executions to be amended by clerk of court from which same were issued.

The following Senate bill was read third time and put upon its passage:

By Mr. Merritt—

A bill to reorganize the military forces of this State, and make of force a military code.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed as amended, and the amendments are as follows: Amend section 4, line 5, by adding after the word "deputies" the words "and jailors."

Section 4, line 13, by adding after the word "gospel," the words "licensed physicians and druggists in active practice. Striking out section 6. Section 10, line 11, by striking out the words "the brevet brigadier-general staff."

Section 17, line 11, by adding after the words "hospital steward" the words "who must be a licensed druggist." Section 42, line 8, by striking out the words "all State institutions shall fly this flag." Section 43, by adding after the word "thereto" the words "and exemptions allowed by special Acts of the General Assembly."

Section 54, line 8, by substituting for the words "as such," the word "therefor." Section 56, line 2, by adding after the words "city court" the words "county court." Section 56, line 6, by inserting the word "intimidation" before the word "force."

Section 57, line 4, by substituting for the words "the judge" the words "any judge aforesaid."

Section 64, lines 17 and 18, by substituting for the words "as such" the word "therefore."

Section 78, line 15, by substituting for the words "as such" the word "therefore."

Section 32, line 6, by substituting "violating" for "violation." Section 32, line 8, by substituting the word "therefor" for the words "as such." Section 82, line 14, by substituting the word "at" for the word "as."

Amend section 13, lines 8, 9, 35, 36, and section 14, lines 9 and 10, by striking out the word "one pharmacist who shall be a licentiate of the State Board of Pharmacy with the rank of second lieutenant," and adding after the words "hospital steward," in section 13, lines 15 and 38, and section 14, line 13, the words "who shall be a licensed druggist."

At 12:55 the Senate went into executive session.

Leave of absence was granted Senators Dodd, Turner, Middlebrooks, Christie and Hudson.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

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SENATE CHAMBER, ATLANTA, GEORGIA,

Tuesday Morning, December 2, 1902.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

On motion, the roll-call was dispensed with.

The Journal of yesterday was read and approved.

Mr. Symons, chairman of the Committee on Enrollment, submitted the following report:

*Mr. President:*

The Committee on Enrollment reports as duly enrolled, signed by the President of the Senate and Speaker of the House of Representatives, and delivered to the Governor, the following Act:

An Act to amend the charter of the town of Flintstone, Walker county, Georgia, so as to provide for a system of public schools in and for said town, and for other purposes.

Respectfully submitted.

W. F. SYMONS, Chairman.

The following Senate bill was read second time:

By Mr. Van Buren—

A bill to repeal the Act reducing the compensation of the treasurer of the county of Wilkinson, and for other purposes.

The following Senate bills were read first time:

By Mr. Park—

A bill to amend paragraph 1, section 5269 of the Code, and for other purposes.

Referred to the General Judiciary Committee.

By Mr. Worsham—

A bill to repeal an Act approved December 23, 1898,

an Act to amend an Act to regulate the payment of fees to attorneys and receivers in certain cases.

Referred to the Special Judiciary Committee.

Mr. Lee, chairman of Committee on Penitentiary, submits the following report:

*Mr. President:*

The Committee on Penitentiary has had under consideration the following bill of the Senate, which it requests me to report back with recommendation that same do pass as amended:

A bill to be entitled an Act to prohibit the selling or giving to any felony convict in this State, any spirituous or intoxicating liquors, and to prescribe a penalty for same, and for other purposes.

Respectfully submitted.

GORDON LEE, Chairman.

Mr. Harrell, chairman pro tem. of Committee on Corporations, submits the following report:

*Mr. President:*

The Committee on Corporations has had under consideration the following bill of the Senate, which it requests me to report back with recommendation that same do pass by substitute:

A bill to be entitled an Act to amend an Act to carry into effect article 3, section 7, paragraph 18 of the Constitution of the State, as amended, in so far as the same relates to the issuing and granting of corporate powers and

privileges to insurance companies by the Secretary of the State.

Respectfully submitted.

J D. HARRELL, Chairman pro tem.

Mr. Sweat, chairman of the Committee on Public Property, submitted the following report:

*Mr. President:*

The Committee on Public Property has had under consideration the following Senate resolution which it instructs me to report with the recommendation that the same do pass:

A resolution to authorize the Brumby Memorial Association to erect a monument upon the Capitol grounds.

Respectfully submitted.

F L. SWEAT, Chairman.

Mr. Jordan, chairman of Committee on Agriculture, submits the following report:

*Mr. President:*

The Committee on Agriculture has had under consideration the following bill of the Senate which it requests me to report back with recommendation that same do pass:

A bill to be entitled an Act to provide for the testing and the mode of testing the illuminating qualities of illuminating oil; to provide the penalty for violation of this Act, and for other purposes.

Also, the following House bill:

A bill to be entitled an Act to provide for the removal of

obstructions of all kinds from the creeks and other running streams in Hall county, and for other purposes.

C. H. JORDAN, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed, by the requisite constitutional majority, the following bills of the House, to wit:

A bill to amend an Act to establish a city court in the county of Hall, and for other purposes.

Also, a bill to prohibit the sale of spirituous liquors in the county of Lee.

Also, a bill to establish a dispensary for the sale of intoxicating liquors in the city of Wrightsville and town of Kite, Johnson county.

Also, a bill to amend an Act to incorporate the Southern Mutual Insurance Company.

Also, a bill to establish the city court of Buchanan, in the city of Buchanan.

Mr. Tisinger, chairman of the Special Judiciary Committee, submits the following report:

*Mr. President:*

The Special Judiciary Committee has had under consideration the following House bills, which the committee instructs me, as its chairman, to report back to the Senate with the recommendation that they do pass, to wit:

A bill to be entitled an Act to amend section 9 of an Act approved December 11, 1897, establishing the city court of Waycross, so far as said section applies to the clerk of said court.

A bill to be entitled an Act to amend an Act to establish the city court of Waycross in and for the county of Ware, approved December 11, 1897, so as to amend section 7, etc.

Respectfully submitted.

B. L. TISINGER, Chairman.

*Mr. President:*

The Committee on Western & Atlantic Railroad, having had under consideration a bill entitled an Act to authorize the Governor of the State of Georgia to require the Attorney General of the State of Georgia to perform, without compensation, all duties now incumbent on the attorney for the Western & Atlantic Railroad, and instruct me to report the same with recommendation that the same do pass.

PARK, Chairman.

Mr. Davis, chairman of the Committee on Finance, submitted the following report:

*Mr. President:*

The Committee on Finance has had under consideration the following Senate resolution, which it instructs me to report with the recommendation that the same do pass:

A joint resolution to have our Senators and representatives in congress to introduce a bill to reimburse the State of Georgia by the United States in certain Indian war claims.

Respectfully submitted.

WM. H. DAVIS, Chairman.

The following House bills were read second time and re-committed to the Special Judiciary Committee:

By Mr. Knight—

A bill to repeal an Act to incorporate the city of Tifton, Ga.

By Mr. Knight—

A bill to amend the Act creating the board of county commissioners of Berrien county.

The following House bill was read second time:

By Mr. Conner—

A bill to amend the Act establishing the city court in the county of Bartow.

The following House bills were read third time to be put upon their passage:

By Mr. Dunbar—

A bill to amend the Act creating the board of police commissioners for the city of Augusta.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Ayres—

A bill to alter and amend the charter of the city of Cedartown, in Polk county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. McHenry—

A bill to amend the charter of the city of Rome.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Felder—

A bill to provide for the dispensing of cocain in this State.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Newton—

A bill to incorporate the town of Obe, in Colquitt county, into the town of Norman Park.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Howard—

A bill to amend the Act creating the charter of the city of Milledgeville, in Baldwin county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Miller—

A bill to amend the charter of the city of Columbus, so as to provide for system of water-works.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

This bill was ordered immediately transmitted to the House.

By Mr. Jones—

A bill to extend the corporate limits of the city of Albany.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Fields—

A bill to amend the Act incorporating the town of Pinehurst, in Dooly county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed as amended, and the amendments are as follows: Amend section 2, after the word "thereafter," in the ninth line, the following: "But the first election under this Act shall be held on the second Monday in December, 1902."

This bill was ordered immediately transmitted to the House.

By Messrs. Steed and Hixon—

A bill to amend the Act creating a new charter for the town of Temple, in Carroll county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate resolution was read first time:

By Mr. Comas—

A resolution to pay pension of Josiah Lucas, of Appling county, to his widow.

Referred to the Committee on Pensions.

The following Senate resolution was read third time and adopted :

By Mr. Comas—

A resolution providing for the burning of cancelled bonds of the State.

The following joint resolution was read and adopted :

By Mr. Jordan—

A resolution appointing Senators and Representatives to visit the College of Agriculture and Mechanic Arts at Athens.

Committee on part of Senate are Senators Jordan, Stevens, Roberts, Clark, Clements.

The following message was received from the Governor through Mr. Erwin, his Secretary :

*Mr. President:*

I am directed by the Governor to deliver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in executive session.

The following message was received from the Governor through Mr. Erwin, his Secretary :

*Mr. President:*

The Governor has approved the following Act of the General Assembly:

An Act to amend the charter of the town of Flintstone, Walker county, so as to provide for a system of public schools, in and for said town.

Mr. Perry, chairman of the General Judiciary Committee, submits the following report:

*Mr President:*

The General Judiciary Committee has had under consideration the following bill of the Senate, which it instructs me to report back with the recommendation that it do pass:

A bill to provide for a judgment or verdict at the first term in all cases in the courts of this State, in which action is brought on an unconditional contract in writing, or on an open account, and in which cases there has been personal service on the defendant, and to which no legal defense is filed.

Also, that the following bill of the Senate do not pass:

A bill to provide for license for carrying pistols, and to provide when the same shall go into effect, and for other purposes.

Also, that the following bills of the House do pass:

A bill to require any person seeking a writ of *certiorari* to correct the judgment of a recorder's court, or other police court of any town or city, by whatever name known;

to give bond, except under certain conditions, and for other purposes.

Also, a bill to regulate and control the taking and catching of fish and oysters from the public waters of this State, and for other purposes.

Also, a bill to amend section 670 of the Penal Code, in regard to cheating and defrauding, so as to apply the provisions thereof to cheating or defrauding a firm or corporation.

Also, a bill to amend section 573 of the Penal Code, by making it unlawful for any person to be found in possession of any terrapin of a less size than five and one-half inches, etc., and for other purposes.

Also, a bill to amend section 5113 of the Civil Code, so as to allow executions to be amended by clerk of court from which the same were issued, so as to conform to amended judgments.

Also, a bill to cede to the United States jurisdiction of this State over certain public road approaches to the Chickamauga National Park, in the counties of Catoosa and Whitfield, and for other purposes.

Also, a bill to provide for practice in the city court of Atlanta, in reference to defaults, and for other purposes.

Also, that the following bill of the House do pass as amended:

A bill to amend section 642 of volume 3 of the Code of 1895, so as to require the putative father to give bond for the expenses of lying in with such child, and for other purposes.

Also, that the following bills of the House do not pass :

A bill to protect Confederate and other soldiers mentioned in an Act of the General Assembly approved December 9, 1897

A bill to amend section 187 of volume 3 of the Code of 1895, so as to more fully define stealing, and for other purposes.

Also, a bill to require all prison-made goods to be labeled "prison-made," and for other purposes.

Also, a bill to regulate the traffic in seed cotton in the counties in Elbert, Wilkes and Lincoln ; to provide penalty for violation of same, and for other purposes.

Respectfully submitted.

H. H. PERRY, Chairman.

Mr. Ledford, chairman of Committee on Education, submits the following report :

*Mr. President:*

The Committee on Education has had under consideration the following bills of the House which it requests me to report back with recommendation that same do pass :

A bill to be entitled an Act to repeal all of an Act entitled an Act to provide for the issuing of bonds by the town of Norcross, in Gwinnett county, for the purchasing of school property, building schoolhouses, and for other purposes, after submitting same to the qualified voters of Norcross.

A bill to be entitled an Act to authorize the mayor and aldermen of the town of Dallas, Georgia, to purchase,

build and equip school buildings and property, and for other purposes.

A bill to be entitled an Act to incorporate the Vega school district of Pike county; to define the boundaries of the same; to regulate the management of the schools in said district; to provide revenue for said schools; to provide for election of five trustees, and for other purposes.

A bill to be entitled an Act to establish, maintain and operate a public school system in the city of Ocilla, and for other purposes.

A bill to be entitled an Act to repeal an Act approved December 13, 1895, providing for the application of all public school funds to the Douglasville College, that is distributed to school children within the corporate limits of said town, and for other purposes.

Respectfully submitted.

M. L. LEDFORD, Chairman.

The following Senate bills were read third time to be put upon their passage:

By Mr. Snead—

A bill to make it unlawful to charge more than 8 per cent. on money loaned on cotton or other produce as security in this State.

Report of the committee was agreed to.

The substitute was adopted.

On motion, the bill was tabled.

By Mr. Sweat—

A bill to make it a misdemeanor to be intoxicated upon any street or public road in this State.

Report of the committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen,	Harrell,	Merritt,
Atkinson,	Hopkins,	Moore,
Clark,	Jordan,	Perry,
Clements,	Lee,	Sweat,
Comas,	Ledford,	Symons,
Duncan of 10th,	McClure,	Taylor,
Duncan of 36th,	McLean,	Van Buren,
Golden,	McMichael,	

Those voting in the negative were Messrs.—

Crumbley,	Reid,	Tisinger,
Davis,	Roberts,	Worsham,
Park,	Snead,	

Those not voting were Messrs.—

Christie,	Lewis,	Skelton,
Dodd,	Mathews,	Stevens,
Hightower,	Middlebrooks,	Turner,
Hudson,	Rountree,	

Ayes 23; nays 8.

The bill having received the requisite constitutional majority was passed by substitute as amended, and the amendments are as follows: Amend section 1: Provided that the provisions of this bill shall not apply to the streets or highways of all incorporated town or cities.

By Mr. Perry—

A resolution requesting our representatives in Congress to use their influence in having the State reimbursed for money paid by the State removing the Indians in 1836.

Report of the committee was agreed to.

Upon passage of the resolution the ayes were 26, nays 0.

The resolution having received the requisite constitutional majority was passed.

By Mr. Comas—

A bill to amend section 1541 of the Code relative to the call of elections against the sale of liquor.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Perry—

A bill to require defendant in all cases at common law or in equity in the courts of this State in which the defendant shall, in his answer, set up new matter not controverting the plaintiff's petition, or plead a set-off or recoupment, and for other purposes.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional ma-

jority was passed as amended: By adding at the end of section 1: Providing that when such answer shall have been filed at or before the calling of the case on the appearance docket, the plaintiff shall file his reply thereto as above required at least sixty days before the next term of the court.

By Mr. Comas—

A bill to enlarge the powers of the railroad commission of Georgia.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Lee—

A bill for the protection of the officers and employees of the Georgia Penitentiary.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed as amended: Amend section 4 by striking out the words "others, or to remain on the premises within the guard-lines after his time has expired" where they occur in lines 1 and 2, and insert in lieu thereof the words "other convicts."

Amend section 5 by inserting after the word "warrants," in third line, the words "for the purpose of arresting persons violating this Act."

Amend section 5 by adding after the last word thereof the words "after having been ordered by the deputy warden in charge of said convicts to desist therefrom."

Senate bill No. 68 was tabled.

The following Senate bill was recommitted to the Committee on Education.

By Mr. Perry—

A bill to amend the school laws of the State by setting aside funds for libraries.

The following Senate bill was read second time and re-committed to the General Judiciary Committee.

By Mr. Hopkins—

A bill to provide for the dissolution of corporations by the superior courts in certain cases.

The following Senate bills were read second time:

By Mr. Park—

A bill to provide for the testing and mode of testing the illuminating qualities of illuminating oils in this State.

By Mr. Comas—

A bill to prohibit the selling or giving to any felony convict in this State any spirituous or intoxicating liquors.

By Mr. Lee—

A bill to authorize the Governor to require the Attorney-General of the State to perform, without compensation, all

duties now incumbent upon the special attorney for W. & A. R. R.

By Mr. Howell—

A bill to carry into effect article 3, section 7, paragraph 18 of the Constitution.

By Mr. Perry—

A bill to provide for a judgment or verdict at the first term in certain cases.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following House bill, to wit:

A bill to create a new charter for the city of Hawkinsville, in Pulaski county.

The following resolution was adopted:

By Mr. Howell—

A resolution authorizing the Brumby Memorial Association to erect a monument to the late Lieutenant T. M. Brumby on the Capitol grounds.

The following House bills were read second time:

By Mr. Owens—

A bill to incorporate the Vega school district, in Pike county.

By Mr. Slaton—

A bill to provide for the practice in city court of Atlanta.

By Mr. Yates—

A bill to cede to the United States certain lands in the counties of Whitfield and Catoosa.

By Mr. Underwood—

A bill to amend section 642 of the Code.

By Mr. Dunbar—

A bill to require any person seeking a writ of *certiorari* to correct the judgment of a recorder's court or other police court, and for other purposes.

By Messrs. Butts and Proctor—

A bill to regulate the taking of oysters from the public streams of this State.

By Mr. Slaton—

A bill to amend section 670 of the Code.

By Mr. Butts—

A bill to amend section 573 of the Penal Code, to make it unlawful to catch a terrapin of less size than five and one-half inches.

By Mr. Whitley—

A bill to repeal the Act providing for the application of public school funds to Douglasville College.

By Mr. Thompson—

A bill to provide for the removal of obstructions from the streams of Hall county.

By Mr. Beall—

A bill to authorize the mayor and aldermen of the town of Dallas to purchase and equip school buildings.

By Mr. Paulk—

A bill to establish and maintain and operate a public school system in the city of Ocilla.

The following House bills were read second time and re-committed to the Temperance Committee:

By Mr. Steed—

A bill to establish one or more dispensaries in Taylor county.

By Mr. Whitley—

A bill to prohibit the manufacture of intoxicating liquors in Douglass county.

By Mr. Grice—

A bill to amend the local Act creating dispensaries in Pulaski county.

Mr. Duncan, chairman of the Committee on Engrossing, submitted the following report:

*Mr. President:*

The Committee on Engrossing has examined the follow-

ing Senate bill, which it finds correctly engrossed and ready for transmission to the House:

A bill to reorganize the military forces; to adopt and make of force a military code, and for other purposes.

Respectfully submitted.

A. B. DUNCAN, Chairman.

Mr. Ledford, chairman of the Committee on Education, submitted the following report:

*Mr. President:*

The Committee on Education has had under consideration the following Senate bill, which it instructs me to report with the recommendation that the same do pass:

A bill to amend an Act approved December 16, 1897, to provide against frequent changes of school books, and for other purposes.

Respectfully submitted.

M. L. LEDFORD, Chairman.

The following House bill was read second time and re-committed to the Committee on Education:

By Mr. Pate—

A bill to repeal the Act authorizing the town of Norcross to issue bonds.

The following House bill was read second time and re-committed to the Special Judiciary Committee.

By Mr. Wi-e—

A bill to establish a city court for Fayetteville, in Fayette county.

The following House bills were read first time:

By Mr. Hutcheson—

A bill to establish the city court of Buchanan, in the city of Buchanan.

Referred to the Special Judiciary Committee.

By Mr. McBride—

A bill to prohibit the sale of spirituous liquors in Lee county.

Referred to the Committee on Temperance.

By Messrs. Thompson and Rogers—

A bill to establish a city court in Hall county, and for other purposes.

Referred to the General Judiciary Committee.

By Mr. Kent—

A bill to establish dispensaries in Wrightsville and Kent, in Johnson county.

Referred to the Committee on Temperance.

By Mr. Shackelford—

A bill to alter and amend an Act incorporating the Southern Mutual Insurance Company.

Referred to the Committee on Finance.

By Mr. Grice—

A bill to create a new charter for the city of Hawkinsville.

Referred to the Committee on Corporations.

The following Senate bill was read first time:

By Mr. Christie—

A bill to establish a system of public schools for the city of Fort Gaines.

Referred to the Committee on Education.

On motion, the following Senate bill was reconsidered, which was passed this morning.

By Mr. Comas—

A bill to enlarge the powers of the railroad commission.

The following House bills were read third time to be put upon their passage:

By Mr. Nisbet—

A bill to abolish the city court of Waynesboro.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Wise—

A bill to amend the Act incorporating the town of Fayetteville, so as to make it the city of Fayetteville.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Davison—

A bill to amend the Act creating the county court of Greene county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Steed and Hixon—

A bill to extend the corporate limits of Carrollton, in Carroll county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Franklin—

A bill to extend the corporate limits of Tennille, in Washington county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Slaton—

A bill to amend section 5113 of the Civil Code, so as to allow executions to be amended by the clerk of the court from which the same were issued.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Grice—

A bill to incorporate the town of Finleyson, in Pulaski county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Owen—

A bill to amend section 982 of the Code by adding the city of Barnesville, in Pike county, to the list of State depositories.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Evans and Franklin—

A bill to amend, consolidate and supersede the several Acts incorporating the city of Sandersville.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Davidson—

A bill to change the time for holding the superior courts of Greene county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Stewart—

A bill to incorporate the town of Edison, in Calhoun county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Hardeman and Holder—

A bill to repeal the Act establishing the city court of Jefferson, Jackson county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Hardeman and Holder—

A bill to incorporate the town of Statham, in Jackson county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Mitcham—

A bill to repeal the Act and amendments incorporating the town of Jonesboro, in Clayton county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Shannon—

A bill to provide for the removal of obstructions, except dams for operating mills, from the streams of Monroe county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. West—

A bill to amend the charter of the city of Valdosta, and for other purposes.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Holder—

A bill to repeal an Act incorporating the town of Stat-ham, in Jackson county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Paulk—

A bill to repeal an Act approved November 24, 1897, incorporating the town of Ocilla, in Irwin county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Butts—

A bill to amend the Act creating a board of county commissioners of roads and revenues for Glynn county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Duckett, Hardeman and Holder—

A bill to amend the Act incorporating the town of Maysville, in Jackson and Banks counties.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Stanford—

A bill to establish the city court of Hamilton, in Harris county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Stanford—

A bill to amend the charter of Hamilton, in Harris county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Candler and Mayson—

A bill to create a board of commissioners of roads and revenues for DeKalb county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed as amended, and the amendments are as follows: Amend section 1, line 4, by striking the word “enacted,” and inserting the word “created.”

At 12:50 o'clock the Senate went into executive session.

On motion, the Senate adjourned until to-morrow at 10 o'clock.

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SENATE CHAMBER, ATLANTA, GEORGIA,

Wednesday, December 3, 1902.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Allen,	Comas,	Duncan of 36th,
Atkinson,	Crumbley,	Golden,
Christie,	Dodd,	Harrell,
Clark,	Davis,	Hightower,
Clements,	Duncan of 10th,	Hopkins,

Jordan,	Moore,	Sweat,
Lee,	Park,	Symons,
Ledford,	Perry,	Taylor,
Mathews,	Reid,	Tisinger,
McClure,	Roberts,	Turner,
McLean,	Skelton,	Van Buren,
McMichael,	Snead,	Worsham,
Merritt,	Stevens,	Mr. President.

Those absent were Messrs.—

Hudson,	Middlebrooks,	Rountree,
Lewis,		

The Journal of yesterday was read and approved.

House bill No. 257 was recommitted to the Committee on Agriculture.

Senate bill No. 68 was made special order for to-morrow morning immediately after reading of Journal.

House bill No. 38 was recommitted to the Committee on Pensions.

The following House bills were read third time and put upon their passage:

By Mr. Conner—

A bill to amend the Act establishing the city court of Bartow.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

This bill was ordered immediately transmitted to the House.

Mr. Symons, chairman of the Committee on Enrollment, submits the following report:

*Mr. President:*

The Committee on Enrollment have examined and found properly enrolled and ready for the signatures of the President of the Senate and Speaker of the House, the following Acts, to wit:

An Act to amend section 982 of volume 1 of the Code of Georgia of 1895, by adding the town of LaFayette to list of State depositories.

An Act to amend an Act to create a board of roads and revenues in the county of Hancock; to define their powers and duties, and for other purposes.

An Act to amend section 982 of the Code of Georgia of 1895, so as to add the town of Baxley, in Appling county, and the town of Douglasville, in Douglas county, to the list of State depositories.

An Act to make it unlawful and punishable as a misdemeanor for any person to hunt upon the lands of another in Columbia county without the written consent of the owner thereof.

An Act to be entitled an Act to repeal an Act creating the county court of Marion county.

Respectfully submitted.

W F SYMONS, Chairman.

Mr. Christie, chairman of the Committee on Banks, submits the following report:

*Mr. President:*

The Committee on Banks has had under consideration the following bills of the House, which it requests me to report back with recommendation that same do pass:

A bill to be entitled an Act to amend section 982 of volume 1 of the Code of Georgia of 1895, so as to add the city of Louisville, Jefferson county, to the list of State depositories.

A bill to be entitled an Act to amend section 982 of volume 1 of the Code of Georgia of 1895, so as to add the town of Thomson, McDuffie county, to the list of State depositories.

Respectfully submitted.

S. R. CHRISTIE, Chairman.

Mr. Duncan of 36th, chairman of Committee on Temperance, submits the following report:

*Mr. President:*

The Committee on Temperance has had under consideration the following bills of the House, which it requests me to report back with recommendation that same do pass:

A bill to be entitled an Act to establish one or more dispensaries for the sale of alcoholic and other intoxicating liquors in Taylor county, and for other purposes.

A bill to be entitled an Act to amend the local Act creating dispensaries in Pulaski county, and for other purposes.

A bill to be entitled an Act to prohibit the manufacture

of intoxicating liquors in the county of Douglas, and for other purposes.

A bill to be entitled an Act to prohibit the sale of spirituous liquors in the county of Lee, and for other purposes.

A bill to be entitled an Act to establish, maintain, and regulate a dispensary for the sale of intoxicating liquors in the city of Ocilla, Irwin county, Georgia, and for other purposes.

Respectfully submitted.

DUNCAN (36th), Chairman.

Mr. Ledford, chairman of the Committee on Education, submitted the following report:

*Mr. President:*

The Committee on Education has had under consideration the following Senate bill which it instructs me to report with the recommendation that the same do pass by substitute:

A bill to amend the school laws of the State by setting aside funds for libraries in schools; provide method of selection and care of same.

Respectfully submitted.

M. L. LEDFORD, Chairman.

Mr. Perry, chairman of the Committee on General Judiciary, submits the following report:

*Mr. President:*

The General Judiciary Committee have had under consideration the following bill of the Senate, which it instructs me to report back with the recommendation that it do pass as amended:

A bill to suppress the evil of keeping gaming houses mentioned in section 398 of the third volume of the Code of Georgia.

Also, that the following bills of the House be reported back with the recommendation that they do pass:

A bill to authorize clerks of city courts to appoint deputies, and for other purposes.

A bill to amend section 2145 of the Code of 1895, so as to better fix the venue of suits against insurance companies.

A bill to amend section 2754 of the Code, which provides for the foreclosure of mortgages before due, and for other purposes.

Also, that the following bill of the House do pass as amended:

A bill to revise the election laws of Georgia, and for other purposes.

Also, that the following bill of the House do not pass:

A bill regulating the manner in which **claimants in** claim cases shall set out grounds which constitute basis of such claim, and for other purposes.

Respectfully submitted.

H. H. PERRY, Chairman.

The following House bill was read second time:

By Messrs. Deal and Miller—

A bill to incorporate the town of Statesboro, in Bullock county.

Senate bill No. 93 was recommitted to the General Judiciary Committee.

House bill No. 11 was made special order for Friday morning at 11 o'clock.

The following Senate bills were read second time:

By Mr. Christie—

A bill to establish a system of public schools in Fort Gaines, Clay county.

By Mr. Perry—

A bill to suppress the evil of keeping gaming houses mentioned in section 398 of the Code.

The following message was received from the Governor through Mr. Erwin, his Secretary:

*Mr. President:*

I am directed by the Governor to deliver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in executive session.

The following House bill was read third time to be put upon its passage:

By Mr. Pate—

A bill to repeal an Act authorizing the issuing of bonds in Norcross, Gwinnett county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bills were read third time with adverse report from committee:

By Mr. Harrell--

A bill to amend section 4313 of the Code.

Report of the committee was agreed to and the bill was lost.

By Mr. McLean—

A bill to provide for license of carrying pistols, and to provide when same shall go into effect.

Report of the committee was agreed to and bill was lost.

Mr. McLean, chairman pro tem. of Committee on Pensions, submits the following report:

*Mr. President:*

The Committee on Pensions has had under consideration the following resolution of the Senate, which it requests me to report back with recommendation that same do pass:

A resolution to pay pension of Josiah Lucas, of Appling county, Georgia, to Lecia Lucas, his widow.

McLEAN, Chairman pro tem.

The following Senate bills were read third time to be put upon their passage:

By Mr. Perry—

A bill to amend the school laws of the State by setting aside funds for libraries.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 1.

The bill having received the requisite constitutional majority was passed by substitute.

By Mr. Park—

A bill to authorize boards of education to contract for books for seven years instead of five years.

This bill was tabled.

By Mr. Van Buren—

A bill to repeal the Act reducing the compensation of the county treasurer of Wilkinson county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Lee—

A bill to authorize the Governor of the State to require the attorney-general to perform, without compensation, all duties now incumbent upon the special attorney for the W & A. R. R.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Comas—

A bill to prohibit the selling or giving to any felony convict in this State any spirituous or intoxicating liquors.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed as amended: Amend section 1, line 3 by inserting after the word "felony," and before the word "convicts," the words "or misdemeanor."

By Mr. Howell—

A bill to carry into effect article 3, section 7, paragraph 18 of the Constitution, relative to the powers of insurance companies.

This bill was tabled.

By Mr. Perry—

A bill to provide for a verdict or judgment at the first term in all cases in which action is brought on an unconditional contract in writing.

This bill was tabled.

By Mr. Park—

A bill to provide for and the mode of testing illuminating oils in this State.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

Mr. Tisinger, chairman of the Special Judiciary Committee, submits the following report:

*Mr. President:*

The Special Judiciary Committee has had under consideration the following House bills, which it instructs me to report with the recommendation that they do pass:

A bill to change the time of holding Glascock superior court.

A bill to amend an Act to establish the city court of Valdosta.

A bill to repeal an Act to incorporate the city of Tifton.

Also, the following House bill do pass as amended:

A bill to establish the city court of Fayetteville, and for other purposes.

Also, that the following Senate bill be recommitted to General Judiciary Committee.

A bill to repeal an Act amending an Act to regulate the fees of attorneys and receivers in cases where receivers are appointed.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. Duncan, chairman of the Committee on Engrossing, submitted the following report:

*Mr. President:*

The Committee on Engrossing has examined the following bills, which it finds correctly engrossed and ready for transmission to the House:

A bill to amend section 1541 of the Code, which prescribes the number of names to be signed to petitions for or against the sale of liquor, and for other purposes.

A bill to require defendant in all cases where defendant shall set up in his answer new matters, the same to be in paragraphs, and for other purposes.

A bill to make it a misdemeanor to be intoxicated upon any street or public road of this State, and for other purposes.

A bill to protect the officers and employees of the Georgia penitentiary at the various camps throughout the State, and for other purposes.

Also, the following resolutions:

A resolution authorizing the burning of cancelled bonds and coupons of the State now in the treasury's vaults.

A joint resolution requesting our Senators and Representatives in Congress have the United States reimburse this State in certain Indian war claims.

A resolution to authorize the Brumby Memorial Association to erect a monument upon the Capitol grounds to commemorate the services of Lieutenant Thos. M. Brumby, late of the United States Navy.

A resolution for appointment of Senators and Repre-

sentatives to visit the College of Agriculture and Mechanic Arts at Athens, and for other purposes.

Respectfully submitted.

A. B. DUNCAN, Chairman.

The following House bill was read second time and re-committed to the Finance Committee.

By Mr. Shackelford—

A bill to amend the Act incorporating the Southern Mutual Insurance Company.

The following House bills were read third time to be put upon their passage:

By Mr. Dunbar—

A bill to require any person seeking a writ of *certiorari* to correct the judgment of a recorder's court, or other police court of any town or city.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Reid—

A bill to authorize the mayor and council of Palmetto to issue bonds.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Wise—

A bill to establish the city court of Fayetteville, in Fayette county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Butts and Proctor—

A bill to amend the Act regulating the taking of fish and oysters from the public waters of this State.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Underwood—

A bill to amend section 642 of volume 3 of the Code.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed as amended: Amend section 1 by adding after the word "thereof," in the eighth line the following: "Also by adding after the word "child," in the seventh

line of said section, the following: "for the payment of the expenses of lying in with such child, boarding, nursing and maintenance while the mother in confined by reason thereof."

By Mr. Beall—

A bill to authorize the mayor and aldermen of the town of Dallas, Georgia, to purchase, build and equip school buildings.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Slaton—

A bill to provide for practice in the city court of Atlanta.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Nisbet and McElmurray—

A bill to incorporate the Waynesboro Academy.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. McElmurray and Nisbet—

A bill to amend the several Acts incorporating the town of Waynesboro, so as to make it the city of Waynesboro.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Knight—

A bill to repeal the Act incorporating the city of Tifton.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Bowen—

A bill to incorporate the town of Pineview, in Wilcox county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Cann—

A bill to amend section 1 of an Act establishing the police court of the city of Savannah.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Deal and Miller—

A bill to repeal the charter of the town of Statesboro, in Bullock county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Whitley—

A bill to prohibit the manufacture of intoxicating liquors in the county of Douglas.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Whitley—

A bill to repeal the Act providing for the application of all public school funds to the Douglasville College.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Paulk—

A bill to establish, maintain and operate a public school system in the city of Ocilla.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Thompson—

A bill to provide for the removal of obstructions of all kinds from the streams of Hall county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Steed—

A bill to establish one or more dispensaries in Taylor county.

Report of the committee was agreed to.

This bill was tabled.

By Mr. Butts—

A bill to amend section 573 of the Code, by making it unlawful to be found in possession of a terrapin of less size than five and one-half inches.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Slaton—

A bill to amend section 670 of the Code, which provides punishment for cheating and defrauding.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Yates—

A bill to cede to the United States the jurisdiction of this State over certain lands in Catoosa and Whitfield counties.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Grice—

A bill to amend the local Act creating dispensaries in Pulaski county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Owen—

A bill to incorporate the Vega school district.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

The following House bills were read second time with adverse report from committee; the report was agreed to and the bills were lost.

By Mr. Underwood—

A bill to amend section 187 of the Code.

By Mr. Felder—

A bill to regulate the manner in which claimants in claim cases shall set out grounds which constitute basis of such claims.

By Mr. Spence—

A bill to amend the Act establishing the city court of Waycross.

By Mr. Spence—

A bill to amend the Act establishing the city court of Waycross approved December 11, 1897.

By Messrs. McHenry, Knowles and Ennis—

A bill to require all prison-made goods to be labeled “prison-made.”

The following Senate bills were read first time:

By Mr. Hightower—

A bill to amend the Act incorporating Newton, in Baker county.

Referred to the Committee on Corporations.

By Mr. Clements—

A bill to repeal the Act establishing the city court of Mount Vernon, in the county of Montgomery.

Referred to the Special Judiciary Committee.

By Mr. Clarke—

A bill to incorporate the town of Chester, in Dodge county.

Referred to the Committee on Corporations.

By Mr. Park—

A bill to amend an Act establishing a dispensary in La-Grange.

Referred to the Special Judiciary Committee.

By Mr. Perry—

A bill to amend section 1354 of the Code.

Referred to the Committee on Education.

The following Senate resolution was read second time:

By Mr. Comas—

A resolution to pay pension of Josiah Lucas to his widow.

The following House bills were read second time:

By Mr. Flynt—

A bill to amend section 2145 of the Code, so as to better fix the venue against insurance companies.

By Mr. Kelly—

A bill to change and fix the time for holding Glascock superior court.

By Mr. Harden—

A bill to authorize the clerks of city courts of this State to appoint deputy clerks.

By Mr. Kent—

A bill to amend section 2754 of the Code.

By Mr. Phillips—

A bill to amend section 982 of the Code, by adding the city of Louisville to the list of State depositories.

By Mr. McBride—

A bill to prohibit the sale of spirituous liquors in the county of Lee.

By Mr. Paulk—

A bill to establish a dispensary for the city of Ocilla.

By Mr. West—

A bill to amend the Act establishing the city court of Valdosta.

By Mr. Watson—

A bill to amend section 982 of the Code, by adding the town of Thomson to the list of State depositories.

At 12:05 the Senate went into executive session.

Senator Atkinson was granted leave of absence.

Upon motion, the Senate adjourned until to-morrow morning at 10 o'clock.

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SENATE CHAMBER, ATLANTA, GEORGIA,

Thursday, December 4, 1902.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Allen,  
Atkinson,  
Christie,  
Clark,

Clements,  
Comas,  
Crumbley,  
Dodd,

Davis,  
Duncan of 10th,  
Duncan of 36th,  
Golden,

Harrell,	McMichael,	Stevens,
Hightower,	Merritt,	Sweat,
Hopkins,	Middlebrooks,	Symons,
Hudson,	Moore,	Taylor,
Jordan,	Park,	Tisinger,
Lee,	Perry,	Turner,
Ledford,	Reid,	Van Buren,
Mathews,	Roberts,	Worsham,
McClure,	Skelton,	Mr. President,
McLean,	Snead,	

Those absent were Messrs.—

Lewis, Rountree,

Mr. Perry gave notice that at the proper time he would move to reconsider the action of the Senate in passing House bill No. 276.

Mr. Taylor gave notice that at the proper time he would move to reconsider the action of the Senate in defeating House bill No. 124.

The Journal of yesterday was read and approved.

On motion, House bill No. 276 was reconsidered and recommitted.

Mr. Taylor moved to reconsider the action of the Senate in defeating House bill No. 124 on yesterday, which motion was lost.

The following message was received from the Governor through Mr. Erwin, his Secretary:

*Mr. President:*

I am directed by the Governor to deliver to the Senate a sealed communication, to which he respectfully invites

the consideration of your honorable body in executive session.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following House bills, to wit:

A bill to make appropriations for the ordinary expenses of the Executive, Legislative and Judicial Departments of the government, and for other purposes.

Also, a bill to provide for and require the payment of taxes on all special franchises and to prescribe the method for the return and payment of said taxes.

Mr. Symons, chairman of the Committee on Enrollment, submitted the following report:

*Mr. President:*

The Committee on Enrollment reports as duly enrolled, signed by the President of the Senate and Speaker of the House of Representatives and delivered to the Governor, the following Acts:

An Act to amend section 982 of volume 1 of the Code of Georgia of 1895, by adding the town of LaFayette to list of State depositories.

An Act to amend an Act to create a Board of Roads and Revenues in the county of Hancock, to define their powers and duties, and for other purposes.

An Act to amend section 982 of the Code of 1895 so as

to add the town of Baxley, in Appling county, and the town of Douglasville, in Douglas county, to the list of State depositories.

An Act to make it unlawful and punishable as a misdemeanor for any person to hunt upon the lands of another in Columbia county without the written consent of the owner thereof.

An Act to be entitled an Act to repeal an Act creating the county court of Marion county.

Respectfully submitted,

W F SYMONS, Chairman.

Mr. Dodd, chairman pro tem. of Special Judiciary Committee, submits the following report:

*Mr. President:*

The Committee on Special Judiciary has had under consideration the following bill of the House, which it requests me to report back with the recommendation that same do pass as amended:

A bill to be entitled an Act to establish the city court of Buchanan, in the city of Buchanan, in the county of Haralson, and for other purposes.

Respectfully submitted,

W P DODD, Chairman pro tem.

Mr. Symons, chairman pro tem. of the Committee on Corporations, submitted the following report:

*Mr. President:*

The Committee on Corporations has had under consideration the following bills of the House, which it instructs me to report with the recommendation that they do pass:

A bill to incorporate the city of Tifton, in Berrien county.

A bill to incorporate the city of Ocilla, in Irwin county.

A bill to incorporate the city of Statesboro, in Bulloch county.

A bill to create a new charter for the city of Hawkinsville, in Pulaski county.

A bill to incorporate the town of Soperton, in Montgomery county.

A bill to amend the charter of Louisville, Ga., so as to provide for waterworks.

A bill to amend the charter of the town of Boston so as to enlarge the taxing powers of the mayor and council.

A bill to amend the charter of the town of Buchanan by making it the city of Buchanan.

A bill to incorporate the town of Bethlehem, in Walton county.

Also, the following Senate bill which it recommends do pass as amended:

A bill to incorporate the town of Atwater, in Upson county.

Respectfully submitted,

W F SYMONS, Chairman pro tem.

Mr. Christie, chairman of the Committee on Banks, submitted the following report:

*Mr. President:*

The Committee on Banks has had under consideration

the following House bills, which it instructs me to report with the recommendation that they do pass:

A bill to amend section 982 of the Code of 1895 so as to add Montezuma, Ga., to the list of depositories.

A bill to amend the charter of the Buena Vista Loan & Savings Bank, and for other purposes.

Respectfully submitted,

S. R. CHRISTIE, Chairman.

Mr. Duncan, chairman of the Committee on Engrossing, submitted the following report:

*Mr. President:*

The Committee on Engrossing has examined the following bills, which it finds are correctly engrossed and ready for transmission to the House:

A bill to amend the school laws by setting aside funds for libraries in schools; to provide the method of selection of said libraries and the care of the same.

A bill to provide for the testing of illuminating oil, and for other purposes.

A bill to authorize the Governor of the State to require the Attorney-General to perform, without compensation, the duties now incumbent on attorney for Western & Atlantic R. R., and for other purposes.

A bill to prohibit the selling or giving to convicts spirituous or intoxicating liquors, and for other purposes.

A bill to repeal an Act to reduce the compensation of the

Treasurer of Wilkinson county, and for other purposes, approved February 23, 1876.

Respectfully submitted,

A. B. DUNCAN, Chairman.

Mr. Ledford, chairman of the Committee on Education, submits the following report:

*Mr. President:*

The Committee on Education has had under consideration the following bill of the Senate, which it instructs me to report back with the recommendation that it do pass:

A bill to establish a system of public schools for the city of Fort Gaines, and for other purposes.

Respectfully submitted,

M. L. LEDFORD, Chairman.

The committee appointed to visit the convict camp at Coal City submitted the following report:

*Mr. President:*

The special committee appointed to visit the convict camp at Coal City respectfully report that they have performed that duty, and find that everything is in good order. The prisoners are well fed, properly cared for and are kept in clean quarters.

Respectfully submitted,

J. R. VAN BUREN,  
F. L. SWEAT,  
G. M. CLEMENTS.

Mr. Middlebrooks, chairman of the Committee on Corporations, submits the following report:

*Mr. President:*

The Committee on Corporations has had under consideration the following bills of the Senate, which it instructs me to report back with the recommendation that they do pass:

A bill to incorporate the town of Chester, in Dodge county.

A bill to amend an Act entitled an Act to incorporate the town of Newton, in Baker county.

Respectfully submitted,

L. L. MIDDLEBROOKS, Chairman.

The following Senate bill was taken from the table to be put upon its passage:

By Mr. Howell—

A bill to carry into effect article 3, section 7, paragraph 18 of the Constitution relative to insurance companies.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28; nays, 0.

The bill having received the requisite constitutional majority was passed by substitute.

The following House bills were read first time:

By Mr. Davis of Meriwether—

A bill to appropriate money for the maintenance of the State government for the year 1903.

Referred to the Appropriation Committee.

By Mr. Reed—

A bill to levy a tax on all franchises in this State.

Referred to the Finance Committee.

The following Senate bills were read first time:

By Mr. Hudson—

A bill to amend section 45 of the charter of Americus, to make the police commissioners of Americus elected by the people.

Referred to the Committee on Corporations.

By Mr. Worsham—

A bill to amend section 422 of the 3d volume of the Code.

Referred to the General Judiciary Committee.

The following resolution was read and adopted:

By Mr. Howell—

A resolution requesting the Appropriation Committee to make appropriations for two years instead of one.

The following bill was taken up as special order:

By Mr. Clements—

A bill to provide for the leasing of felony convicts by the Prison Commission.

Mr. Hopkins moved to indefinitely postpone this bill.

This motion was lost.

Mr Davis moved to dispose of the special order, which motion was lost.

Mr. Middlebrooks moved to table the bill, which motion was lost.

Report of the committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered, and the vote was as follows:

Those voting in the affirmative were Messrs.—

Christie,	Hudson,	Skelton,
Clark,	Ledford,	Snead,
Clements,	Mathews,	Stevens,
Comas,	McClure,	Sweat,
Crumbley,	McLean,	Symons,
Duncan of 10th,	Merritt,	Van Buren,
Duncan of 36th,	Moore,	Worsham,
Hightower,	Reid,	

Those voting in the negative were Messrs.—

Allen,	Jordan,	Roberts,
Davis,	Lee,	Taylor,
Golden,	Middlebrooks,	Turner,
Hopkins,	Perry,	

Those not voting were Messrs.—

Atkinson,	Lewis,	Rountree,
Dodd,	McMichael,	Tisinger,
Harrell,	Park,	Mr. President,

Ayes 23, nays 11.

The bill having received the requisite constitutional majority, was passed.

The following House bill was read second time:

By Mr. Kelly—

A bill to revise the election laws of Georgia.

The following Senate bill was read second time and re-committed to the Railroad Committee:

By Mr. Comas—

A bill to compel railroads in this State to run at least one train each way daily.

The following Senate bill was read second time and re-committed to the General Judiciary Committee:

By Mr. Comas—

A bill to regulate the sale of mortgaged property in this State.

The following Senate bills were read first time:

By Mr. Sweat—

A bill to establish dispensaries in Coffee county.

Referred to the Temperance Committee.

The following Senate bills were read second time:

By Mr. Hightower—

A bill to amend the Act incorporating the town of Newton, in Baker county.

By Mr. Clark—

A bill to incorporate the town of Chester, in Dooly county.

By Mr. Tisinger—

A bill to incorporate the town of Atwater, in Upson county.

The following Senate bill was read first time:

By Mr. Sweat—

A bill to amend the Act establishing the city court of Douglas.

Referred to Special Judiciary Committee.

The following Senate bills were read third time, to be put upon their passage:

By Mr. Perry—

A bill to suppress the evil of keeping gambling houses, mentioned in section 398 of the Code.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24; nays, 0.

The bill having received the requisite constitutional majority was passed as amended.

Amend by striking out the words "or detective" where it occurs in section 1. Amend by striking out the words "or furniture," where it occurs in section 3, and by inserting "or" between the word "device" and "paraphernalia," where they occur in section 3.

By Mr. Christie—

A bill to establish a system of public schools in Fort Gaines.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26; nays, 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Comas—

A resolution to pay the pension due Josiah Lucas to his widow.

Report of the committee was agreed to.

Upon the passage of the resolution the ayes were 24; nays, 0.

The resolution having received the requisite constitutional majority was passed.

The following House bills were read third time to be put upon their passage:

By Messrs. Deal and Miller—

A bill to incorporate the city of Statesboro, in Bullock county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Kent—

A bill to amend section 2754 of the Code, which provides for the foreclosure of mortgages.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Kelly—

A bill to change the time for holding Glascock superior court.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Hardin—

A bill to authorize the clerks of city courts of this State to appoint deputy clerks.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Watson—

A bill to amend section 982 of the Code by adding the town of Thomson to the list of State depositories.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. West--

A bill to amend the Act establishing the city court of Valdosta.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Paulk—

A bill to establish and maintain a dispensary in Ocilla, Irwin county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Phillips—

A bill to amend section 982, by adding the town of Louisville, in Jefferson county, to the list of State depositories.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. McBride—

A bill to prohibit the sale of spirituous liquors in Lee county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Flynt—

A bill to amend section 2145 of the Code, so as to better fix the venue of suits against insurance companies.

Report of the committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs.—

Allen,	Hudson,	Perry,
Christie,	Jordan,	Roberts,
Clark,	Lee,	Skelton,
Comas,	Ledford,	Snead,
Crumbley,	Mathews,	Stevens,
Davis,	McClure,	Sweat,
Duncan of 36th,	McLean,	Symons,
Golden,	Merritt,	Taylor,
Harrell,	Middlebrooks,	Van Buren,
Hopkins,	Moore,	Worsham,

Those not voting were Messrs.—

Atkinson,	Lewis,	Rountree,
Clements,	McMichael,	Tisinger,
Dodd,	Park,	Turner,
Duncan of 10th,	Reid,	Mr. President.
Hightower,		

Ayes 30, nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bills were read first time:

By Mr. Mathews—

A bill to prescribe the venue of actions that may hereafter be brought to recover penalties incurred by railroad companies for violations of the rules of the railroad commission.

Referred to the Committee on Railroads.

By Mr. Skelton—

A bill to amend section 767, volume 1 of the Code.

Referred to the Committee on Finance.

The following Senate bills were read second time with adverse report from the committee. The report was agreed to and bills were lost:

By Mr. Mathews—

A bill to amend section 2167 of the Code, specifying powers of the railroad commission.

By Mr. Perry—

A bill to authorize street and suburban railroad companies to condemn a right to the commons, and for other purposes.

Mr. Mathews, chairman of the Committee on Railroads, submitted the following report:

*Mr. President:*

The Committee on Railroads has had under consideration the following Senate bills, which it instructs me to report with the recommendation that they do not pass:

A bill to amend section 2167 of the Code, by amending paragraph 6 of said section, providing for railroad crossings by prescribing and regulating terms thereof.

A bill to authorize street and suburban railways, under certain circumstances, to condemn a right to the common use and occupancy of the track and right of way of other street and suburban railways, and for other purposes.

Respectfully submitted.

H. A. MATHEWS, Chairman.

The following House bills were read second time:

By Mr. Paulk—

A bill to incorporate the city of Ocilla, in Irwin county.

By Mr. Knight—

A bill to incorporate the city of Tifton, in Berrien county.

By Mr. Grice—

A bill to create a new charter for the city of Hawkinsville.

By Mr. Hutcheson—

A bill to establish the city court of Buchanan.

By Mr. Edwards—

A bill to amend the charter of the Buena Vista Loan & Savings Bank.

By Mr. Hayes—

A bill to amend section 982 of the Code, by adding Montezuma to the list of State depositories.

By Mr. Hutcheson—

A bill to amend the Act approved November 7, 1889, so as to make the town of Buchanan the city of Buchanan.

By Messrs. Booth and Lawrence—

A bill to incorporate the town of Bethlehem, in Walton county.

By Mr. Rountree—

A bill to amend the charter of the town of Boston.

By Mr. Wooten—

A bill to incorporate the town of Soperton, in Montgomery county.

By Mr. Phillips—

A bill to amend, consolidate and supersede the several acts incorporating the town of Louisville.

The following resolution was read second time and re-committed to the Committee on Appropriations.

By Mr. Steed—

A resolution to appropriate \$15,000.00 to repair the Capitol building with.

At 12:30 the Senate went into executive session.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

## SENATE CHAMBER, ATLANTA, GEORGIA,

Friday, December 5, 1902.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon motion, the roll-call was dispensed with.

Mr. Hopkins gave notice that at the proper time he would move to reconsider the action of the Senate in passing Senate bill No. 68.

The Journal of yesterday was read and approved.

Mr. Hopkins moved to reconsider the action of the Senate in passing the following bill on yesterday.

By Mr. Clements—

A bill to authorize the prison commission to release the felony convicts at the expiration of the present lease.

The motion was lost.

The following message was received from the Governor through Mr. Erwin, his Secretary:

*Mr. President:*

The Governor has approved the following Acts of the General Assembly, to wit:

An Act to repeal the Act establishing county courts in all counties except those named, in so far as the same applies to Marion county.

Also, an Act to amend section 982 of the Code, by adding Baxley, in Appling county, and Douglasville, in Douglas county, to list of State depositories.

Also, an Act to amend an Act to create a board of county commissioners for Hancock county.

Also, an Act to amend section 982 of the Code, by adding LaFayette, in Walker county.

Also, an Act to make it a misdemeanor for any person to hunt upon the lands of another in Columbia county, without permission in writing.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

*Mr. President:*

The Committee on Corporations has had under consideration the following Senate bill, which it instructs me to report with the recommendation that the same be read second time and recommitted to Committee on Corporations:

A bill to amend section 45 of the charter of Americus, approved November 11, 1899, so as to make the police commissioners elective, and for other purposes.

Respectfully submitted.

MIDDLEBROOKS, Chairman.

Mr. Sweat, chairman pro tem. of the Special Judiciary Committee, submitted the following report:

*Mr. President:*

The Special Judiciary Committee has had under consideration the following Senate bill, which it instructs me to report with the recommendation that the same do pass:

A bill to amend an Act to establish the city court of Douglas, in the city of Douglas, and for other purposes.

Also, the following House bill has been considered, and it recommends that the same do pass as amended:

A bill to create a board of commissioners of roads and revenues for the county of Rockdale, and for other purposes.

The committee recommends that the following House bill do not pass:

A bill to repeal an Act to create a board of commissioners of roads and revenues for the county of Walton, and for other purposes.

Respectfully submitted.

F. L. SWEAT, Chairman pro tem.

Mr. Jordan, chairman of the Committee on Agriculture, submitted the following report:

*Mr. President:*

The Committee on Agriculture has had under consideration the following bill of the House, which it instructs me to report back with the recommendation that the same do pass:

A bill to regulate the traffic in seed cotton in the counties of Elbert, Wilkes and Lincoln.

Respectfully submitted.

C. H. JORDAN, Chairman.

Mr. Middlebrooks, chairman of Committee on Corporations, submits the following report:

*Mr. President:*

The Committee on Corporations has had under consideration the following House bill, which it instructs me to report with the recommendation that the same do pass as amended:

A bill to create a new charter for the city of Hawkinsville, in Pulaski county.

Respectfully submitted.

MIDDLEBROOKS, Chairman.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

*Mr. President:*

The Special Judiciary Committee have had under consideration the following House bills, which they instruct me to report with the recommendation that they do pass:

A bill to repeal an Act to create a board of commissioners of roads, public buildings, etc., for the county of Monroe, and for other purposes, approved August 27, 1872, and all Acts amendatory thereof.

A bill to change and fix the time of holding Telfair superior court, and for other purposes.

A bill to amend an Act creating a board of county commissioners for Berrien county, and for other purposes.

Also, the following Senate bill, which it recommends do pass:

A bill to repeal the Act establishing the city court of Mount Vernon.

The committee recommends that the following Senate bill do pass as amended:

A bill to amend an Act establishing a dispensary in the city of LaGrange, and for other purposes.

Also, that the following House bill do pass as amended:

A bill to amend an Act approved December 8, 1889, providing for the employment of inspectors of roads and bridges for all counties of more than 75,000 people, and for other purposes.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. Davis, chairman of the Committee on Finance, submitted the following report:

*Mr. President:*

The Committee on Finance has had under consideration the following House bill, which it instructs me to report with the recommendation that the same do pass:

A bill to alter and amend the charter of the Southern Mutual Insurance Company, and for other purposes.

Respectfully submitted.

WM. H. DAVIS, Chairman.

Mr. Duncan, chairman of the Committee on Engrossing, submitted the following report:

*Mr. President:*

The Committee on Engrossing has examined the following bills, which are found correctly engrossed and ready for transmission to the House:

A bill to suppress the evil of keeping gaming houses mentioned in section 398 of the 3d volume of the Code of Georgia.

A bill to authorize and require the prison commission to hire the labor of felony convicts, after expiration of present contract, for a period of five years.

A bill to amend section 2017, volume 2 of the Code of 1895, so far as said section relates to issuing and granting corporate powers and privileges to insurance companies.

A bill to establish a system of public schools for the city of Fort Gaines, and for other purposes.

Also, the following resolution is correctly engrossed and ready for transmission to the House :

A resolution to pay pension of Josiah Lucas, of Appling county, Georgia, to Lecia Lucas, his widow.

Respectfully submitted.

A. B. DUNCAN, Chairman.

The following House bill was read second time and re-committed to the Committee on Appropriations :

By Mr. Davis—

A bill to appropriate money for the support of the State government for the year 1903.

The following Senate resolution was read first time :

By Mr. Park—

A resolution to enquire into the present city and county adoptions of text-books in this State.

Referred to the Committee on Education.

The following special order was taken up, which is a bill:

By Mr. Kelly—

A bill to revise the election laws of the State.

Mr. Comas moved to table the bill, and on this call the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen,	Lee,	Reid,
Clark,	Ledford,	Roberts,
Comas,	Mathews,	Stevens,
Crumbley,	McClure,	Taylor,
Duncan of 10th,	Moore,	Van Buren,
Duncan of 36th,	Park,	Worsham,
Harrell,		

Those voting in the negative were Messrs.—

Atkinson,	Jordan,	Skelton,
Christie,	McLean,	Snead,
Davis,	McMichael,	Sweat,
Hopkins,	Merritt,	Symons,
Hudson,	Perry,	Tisinger,

Those not voting were Messrs.—

Clements,	Hightower,	Rountree,
Dodd,	Lewis,	Turner,
Golden,	Middlebrooks,	Mr. President,

Ayes 19; nays 15.

The motion was carried and the bill was tabled.

This bill was made the special order immediately after the reading of the Journal on the second day of next session.

The following Senate bills were read second time:

By Mr. Park—

A bill to amend the Act establishing a dispensary in the city of LaGrange.

By Mr. Hudson—

A bill to amend section 45 of the charter of Americus, so as to elect the police commissioners by the people.

By Mr. Clements—

A bill to repeal the Act establishing the city court of Mount Vernon.

By Mr. Sweat—

A bill to amend the Act establishing the city court of Douglas.

*Mr. President:*

The Committee on Academy for the Blind desire to submit the following report:

On the 24th inst., we visited the institution and made as complete an investigation of its affairs as we thought was necessary. We were pleased to note the good condition of the buildings and the admirable manner in which all of the details of the work of the Academy are managed. The instruction given the pupils is systematic and thorough, and can not fail to make of these poor afflicted children honorable and useful citizens.

Nothing which we could say in regard to the sanitary conditions which exist, could be more expressive than the statement that there are 108 pupils in the two schools (77

white and 31 colored), and yet there was not a single case of sickness of any kind amongst them.

We examined and verified the report of the treasurer of the board of trustees and find that the expenditures for maintenance for the year ending September 30, 1902, were \$18,485.04. The appropriation being \$18,000.00, there would have been a deficit of \$485.04, but \$166.91 was received from other sources (sales of brooms, etc.), and the remainder \$318.13 was paid from the unexpended balance of \$1,943.34 on hand October 1, 1901.

The economical management of the institution has resulted in a small saving from former appropriations, but the increase in number of inmates and enhanced value of supplies during recent years has encroached upon this surplus, and October first of this year shows only the amount of \$1,625.21 remaining on hand.

If the increased demands upon the trustees should continue in the future, this will soon be wiped out and a larger appropriation will be required to maintain the institution. We are in hopes that this will not be necessary but are confident that nothing will be asked for which the exigencies of the case do not imperatively demand.

Of the extra appropriation of \$2,000.00, made at last session of the Legislature for improvements and repairs, there remains an unexpended balance of \$637.15, which will be used as needed.

The "Pupil's Fund," which originated from personal contributions, amounting to \$680.10, made by members of the General Assembly in 1854, was so judiciously invested and carefully fostered that it now amounts to \$7,602.13. Inquiring of the trustees as to the final disposition of this fund, we were informed that it was their purpose to hold it intact until it reached \$10,000.00; then invest this amount and use the interest only in aiding worthy gradu-

ates of the institution in such ways as would be deemed best to enable them to utilize the knowledge they had gained and make them self-supporting citizens.

In conclusion we would say that it was a great pleasure to your committee to visit this, one of the best managed of the State's noble charities.

W A. WORSHAM, Chairman.

The following Senate bills were read third time to be put upon their passage:

By Mr. Hightower—

A bill to amend the Act to incorporate the town of Newton, in Baker county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Tisinger—

A bill to incorporate the town of Atwater, in Upson county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed as amended: Amend caption by adding after the word "of," at the end of third line, and before the word "councilmen," at the beginning of fourth line, words "mayor and."

By Mr. Clark—

A bill to incorporate the town of Chester, in Dodge county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

On motion, all local bills from the House passed by the Senate to-day will be immediately transmitted to the House.

The following House bills were read third time and put upon their passage:

By Mr. Knight—

A bill to incorporate the city of Tifton, in Berrien county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 31, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Hutcheson—

A bill to establish the city court of Buchanan, in the city of Buchanan.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed as amended, and the amendments are: Amend section 4 by inserting after the word "years," in the seventh line thereof, the words "beginning on the first day of January, 1903." Amend section 2 by inserting after the word "years," in eighth line thereof, the words "beginning January 1, 1903." Amend by striking section 46. Make the last section No. 46.

By Mr. Paulk—

A bill to incorporate the city of Ocilla, in Irwin county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Hutcheson—

A bill to amend the Act approved November 7, 1889, so as to make the town of Buchanan the city of Buchanan.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Booth and Lawrence—

A bill to incorporate the town of Bethlehem, in Walton county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Rountree—

A bill to amend the charter of the town of Boston.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Knight—

A bill to amend the Act creating the board of county commissioners of Berrien county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Wooten—

A bill to incorporate the town of Soperton, in Montgomery county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Phillips—

A bill to consolidate and supersede the several Acts incorporating the town of Louisville, in Jefferson county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Shackelford—

A bill to alter and amend the Act incorporating the Southern Mutual Insurance Company.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Hayes—

A bill to amend section 982 of the Code, by adding the town of Montezuma to the list of State depositories.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Edwards—

A bill to amend the charter of the Buena Vista Loan & Savings Bank.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Grice—

A bill to create a new charter for the city of Hawkinsville.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed as amended, and the amendments are as follows: Amend section 73 by striking from the end of said section the following: "Provided, however, that no franchise, right of way easement, shall be granted for more than twenty-one years at a time." Amend section 15 by striking from the end of said section "the councilmen may, in their discretion, consolidate the office of clerk and treasurer." Amend section 17 by striking from the end of said section the words "said fees to be paid into the city treasury." Amend section 23 by striking the word "monthly," in the second line, and insert the words "for such time as they deem proper." Amend section 25 by striking from fifth line the word "mayor," and inserting the word "clerk." Amend section 50 by adding at the end of said section "said money so received to be paid by the city clerk to the treasurer of the board of trustees of the public schools." Amend section 58 by striking all of said section after the word "result," in line seventeen, and inserting "if any person desires to contest the result of any election held in said city, the general election laws of the

State governing municipal contests shall govern said contests.

The following Senate bill was read second time and re-committed to the Committee on Temperance:

By Mr. Sweat—

A bill to establish dispensaries in Coffee county.

The following Senate bills were read first time:

By Mr. Skelton—

A bill to amend section 780, volume 1 of the Code, relative to taxing franchises.

Referred to the Committee on Finance.

By Mr. Sweat—

A bill to amend an Act approved December 21, 1889, providing for the holding of the several city courts in this State by the various city court judges.

Referred to the Special Judiciary Committee.

The following House bills were read second time:

By Mr. Almond—

A bill to create a board of commissioners of roads and revenues for the county of Rockdale.

By Mr. Flynt—

A bill to amend the Act providing for the inspection of roads and bridges for all counties in this State with more than 75,000 population.

By Messrs. Haynes and others—

A bill to regulate the traffic in seed cotton in the counties of Elbert, Wilkes and Lincoln.

By Mr. Cook—

A bill to change and fix the time of holding the superior courts in Telfair county.

By Messrs. Walker and Shannon—

A bill to repeal an Act creating a board of commissioners of roads and public buildings for Monroe county.

This bill was recommitted to the Special Judiciary Committee.

Leave of absence was granted Senator Hightower until Monday.

On motion, the Senate adjourned until to-morrow morning at 12 o'clock.

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SENATE CHAMBER, ATLANTA, GEORGIA,

Saturday, December 6, 1902.

The Senate met pursuant to adjournment at 12 o'clock; was called to order by the President pro tem.

Prayer was offered by Senator Atkinson.

Upon motion, the roll-call was dispensed with.

The Journal of yesterday was read and approved.

Mr. Dodd, chairman of Committee on Immigration and Labor, submits the following report:

*Mr. President:*

The Committee on Immigration and Labor has had under consideration the following bill of the Senate, which it instructs me to report back with the recommendation that it do not pass:

A bill to amend section 2615 of the Civil Code, which limits and regulates the hours of labor required of persons employed in all cotton or woolen manufacturing establishments in this State.

Respectfully submitted.

W P DODD, Chairman.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

*Mr. President:*

The Committee on Corporations has had under consideration the following Senate bill, which it instructs me to report with the recommendation that the same do pass:

A bill to amend section 45 of the charter of Americus, approved November 11, 1899, so as to make the police commissioners elective, and for other purpose.

Respectfully submitted.

MIDDLEBROOKS, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to establish the city court of Sylvania, in the county of Screven.

Also, a bill to regulate the practice and procedure of justice courts in cities of seventy-five thousand inhabitants, or more.

Also, a bill to incorporate the Meansville school district, in Pike county.

Also, a bill to amend the Act establishing a system of public schools in the town of Ashburn, Worth county.

Also, a bill to repeal an Act to create an advisory board of commissioners for the counties of Laurens and Glascock.

Also, a bill to incorporate the town of Sylvania as the city of Sylvania.

Also, a bill to authorize the mayor and council of Washington, Georgia, to sell certain real estate belonging to said city.

Also, a bill to authorize the mayor and council of the town of Tybee, Georgia, to close certain streets and lanes and convey same to the United States.

Also, a bill providing for State depository in the town of Hogansville, in the county of Troup.

Also, a bill to repeal the Act establishing a city court in Clarkesville, Habersham county.

Also, a bill to reduce the salary of judge of the city court of Elberton to twelve hundred dollars per annum.

Also, a bill to amend an Act incorporating the Fairburn Banking Company, relating to directors therein.

Also, a bill to prohibit the building or use of unlawful fences in the county of Camden.

Also, a bill to amend an Act creating the county court of Berrien county, Georgia.

Also, a bill to establish a system of public schools for Sylvania school district, in Screven county.

Also, a bill to codify the various Acts incorporating the city of Forsyth, in the county of Monroe.

Also, a bill to incorporate the town of Canon, in the counties of Hart and Franklin.

Also, a bill to incorporate the town of Morganton, in the county of Fannin.

Upon motion of Mr. Park Senate bill No. 67 was recommended to the Committee on Immigration and Labor.

The following House bills were read the first time:

By Messrs. Hawks and Martin—

A bill to reduce the salary of the judge of the city court of Elberton from \$1,500.00 to \$1,200.00 after January 1, 1905, and for other purposes.

Referred to the Special Judiciary Committee.

By Messrs. Slaton, Houston and Blackburn—

A bill to regulate the practice and procedure of justice courts in cities of seventy-five thousand, or more, inhabitants, and for other purposes.

Referred to the Special Judiciary Committee.

By Mr. Sanders—

A bill to amend section 982 of the Code of 1895, providing for a State depository in the town of Hogansville, Troup county.

Referred to the Committee on Banks.

By Mr. Kelly—

A bill to repeal the Act creating an advisory board of commissioners for the counties of Laurens and Glascock, and for other purposes.

Referred to the Special Judiciary Committee.

By Mr. Alford—

A bill to amend the Act approved December 17, 1901, establishing a system of public schools in the town of Ashburn, Worth county, Georgia, and for other purposes.

Referred to the Committee on Education.

By Mr. Owen—

A bill to incorporate the Meansville school district, in Pike county, Georgia; to define the boundaries of same; to provide revenue for said schools, and for other purposes.

Referred to the Committee on Education.

By Mr. Cann—

A bill to authorize the mayor and councilmen of the town of Tybee to close Fourth avenue, north of the right of way of the Central of Georgia Railway Company, and

the land immediately east of said street, and to convey to the United States said street and lane so closed.

Referred to the Committee on Corporations.

By Messrs. Grenade and Alexander—

A bill to authorize the mayor and council of Washington, Georgia, to sell certain real estate belonging to said city.

Referred to the Committee on Corporations.

By Mr. Overstreet—

A bill to reincorporate the town of Sylvania as the city of Sylvania; to confer additional powers upon said corporation, and to codify, amend and supersede all previous acts incorporating the town of Sylvania; to grant a new charter to said town under the name of the city of Sylvania, and for other purposes.

Referred to the Committee on Corporations.

By Mr. Peyton—

A bill to repeal an Act entitled “an Act to establish a city court of Clarksville, in Habersham county,” etc., and for other purposes.

Referred to the Special Judiciary Committee.

By Mr. Overstreet—

A bill to establish the city court of Sylvania, in and for the county of Screven, and for other purposes.

Referred to the Special Judiciary Committee.

By Mr. Proctor—

A bill to prohibit the building or use of unlawful fences in the county of Camden.

Referred to the Special Judiciary Committee.

By Mr. Hall—

A bill to amend an Act incorporating the Fairburn Banking Company, and for other purposes connected therewith, approved September 14, 1891, so as to provide that a person may be eligible to be a director of said company who owns five or more shares of its stock, instead of ten or more shares as now required by the said Act.

Referred to the Committee on Banks.

By Messrs. Shannon and Walker—

A bill to codify the various Acts incorporating the city of Forsyth, in the county of Monroe, and for other purposes.

Referred to the Committee on Corporations.

By Mr. Davis—

A bill to incorporate the town of Morganton, in the county of Fannin, and for other purposes.

Referred to the Committee on Education.

By Mr. Knight—

A bill to amend the Act creating the county court of Berrien county, and for other purposes.

Referred to the Special Judiciary Committee.

By Mr. Burton—

A bill to incorporate the town of Canon, in the counties of Hart and Franklin, and for other purposes.

Referred to the Committee on Corporations.

Upon motion of Mr. Park, House bill No. 92, referred to the Committee on Banks, was recommitted to the Special Judiciary Committee.

The following Senate bills were read third time to be put upon their passage:

By Mr. Clements—

A bill to be an Act to repeal an Act to established the city court of Mount Vernon, in Montgomery county, and for other purposes.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28; nays, 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Hudson—

A bill to amend section 45 of the charter of the city of Americus, approved November 11, 1899, so as to make the police commissioners of Americus elective by the people, and for other purposes.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27; nays, 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Park—

A bill to amend an Act to establish a dispensary in the city of LaGrange for the sale of spirituous liquors, and for other purposes.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority, was passed as amended.

Amendment.—The committee amends section 1 of the bill by inserting after the words “said section” in the fourth line of said section the words “be repealed.”

By Mr. Sweat—

A bill to amend an Act to establish the city court of Douglas, in the city of Douglas and for other purposes, approved December 9, 1897

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

Mr. Duncan, chairman of the Temperance Committee, submitted the following report:

*Mr. President:*

The Temperance Committee has had under considera-

tion the following bill of the Senate, which it instructs me to report back with the recommendation that the same do pass:

A bill to establish dispensaries in Coffee county for the sale of spirituous liquors.

Respectfully submitted.

DUNCAN (36th), Chairman.

Mr. Perry, chairman of the Committee on General Judiciary, submits the following report:

*Mr. President:*

The Committee on General Judiciary has had under consideration the following bill of the Senate, which it instructs me to report back with the recommendation that it do pass by substitute:

A bill to regulate the sale of mortgaged property.

Also, that the following bill of the House do pass as amended:

A bill to establish the city court of Jefferson, to provide for the appointment of a judge and solicitor, and other officers thereof, and for other purposes.

Respectfully submitted.

H. H. PERRY, Chairman.

The following Senate bill was read third time, and upon motion was tabled:

By Mr. Sweat—

A bill to establish dispensaries for Coffee county for the sale of spirituous, vinous and malt liquors and create a board of managers for the same, and for other purposes.

The following House bill was read the first time:

By Mr. Overstreet—

A bill to establish a system of public schools for Sylvania school district, in Screven county, and for other purposes.

Referred to Committee on Education.

Mr. Duncan, chairman of the Committee on Engrossing, submitted the following report:

*Mr. President:*

The Committee on Engrossing has examined the following bills which it finds correctly engrossed and ready for transmission to the House:

A bill to incorporate the town of Atwater, in Upson county.

A bill to amend the charter of the town of Newton, in Baker county, and for other purposes.

A bill to incorporate the town of Chester, in Dodge county.

Respectfully submitted,

A. B. DUNCAN, Chairman.

The following House bills were read third time, to be put upon their passage:

By Mr. Cook—

A bill to change and fix the time of holding the Superior

Court of Telfair county, in the Oconee judicial circuit, and for other purposes.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Messrs. Hardeman and Holder of Jackson—

A bill to establish the city court of Jefferson, in the city of Jefferson, Jackson county, Georgia; to define its jurisdiction and powers, and for other purposes.

The report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority, was passed as amended.

Amendments.—Committee amends section 4, by inserting after the word “age” in the fourth line the words “and shall have practiced law for the term of four years.”

Section 2, by striking out “January 1, 1907,” in the seventh and eighth lines and inserting in lieu thereof “December 5, 1905,” and by striking out “January 1, 1906” in the ninth line and inserting in lieu thereof January 1, 1905.”

Section 7, by striking out the words “shall hold his office for and during the term of four years after he is appointed, that he,” in third, fourth and fifth lines.

Section 8, by striking out “January 1, 1907,” in last line, and substituting therefor the words “December 5, 1905.”

The following House bills were read third time, and upon motion were tabled:

By Mr. Flynt—

A bill to amend an Act approved December 8, 1889, providing for the employment of inspectors of roads and bridges for all counties of more than 75,000 people, for defining their duties and for other purposes connected therewith by striking out "75,000 people," and inserting in lieu thereof "15,000 people," and for other purposes.

By Messrs. Hawes, Martin, Boykin, Alexander and Granda—

A bill to regulate the traffic in seed cotton in the counties of Elbert, Wilkes and Lincoln; provide a penalty for violation of same, and for other purposes.

The following Senate resolution was read second time, and recommitted:

By Mr. Park—

A resolution to inquire into the present city and county adoption of text-books in the State of Georgia; to investigate the operations of the law in States that have enacted a uniformity measure, the cost of putting a uniformity law in Georgia; to extend the present contracts until January 1, 1905, and for other purposes.

The hour for adjournment having arrived, the Senate was adjourned until 10 o'clock Monday morning.

SENATE CHAMBER, ATLANTA, GEORGIA,

Monday Morning, December 8, 1902.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by Senator Perry.

Upon the call of the roll the following members answered to their names:

Allen,	Hudson,	Reid,
Atkinson,	Jordan,	Roberts,
Christie,	Lee,	Skelton,
Clark,	Ledford,	Snead,
Clements,	Mathews,	Stevens,
Comas,	McClure,	Sweat,
Crumbley,	McLean,	Symons,
Dodd,	McMichael,	Taylor,
Davis,	Merritt,	Tisinger,
Duncan of 10th,	Middlebrooks,	Turner,
Duncan of 36th,	Moore,	Van Buren,
Golden,	Park,	Wershaw,
Harrell,	Perry,	Mr. President.
Hopkins,		

Those absent were Messrs.—

Hightower,	Lewis,	Rountree,
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The Journal of Saturday was read and approved.

The following House bill was read second time and re-committed to the Finance Committee:

By Mr. Reid—

A bill to levy a tax on all franchises in this State.

The following House bill was read third time and put upon its passage:

By Mr. Almond—

A bill to create a board of commissioners of roads and revenues in Rockdale county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 33, nays 0.

The bill having received the requisite constitutional majority was passed as amended: Amend by making a new section. Be it further enacted by the authority of the same, That this Act shall not go into effect until the same is ratified by the qualified voters of Rockdale county, and it shall be the duty of the ordinary to order an election for said purpose within sixty days after the passage of this Act, and submit the question of "for commissioners," or "against commissioners" to the qualified voters of said county, and each voter shall have plainly written or printed on his ballot "for commissioners," or "against commissioners." Said election shall be held at the usual place of holding elections in said county, and conducted under the same rules and regulations governing elections for members of the General Assembly. One of the managers at each precinct shall carry the returns to the court-house and return same to the ordinary by 12 o'clock on the day after the election, and the ordinary shall consolidate the vote and declare the result. If a majority of said voters shall be "for commissioners," then this Act shall go into effect, but if a majority shall be "against commissioners," then this Act shall be void.

By Messrs. Hawes, Boykin and others—

A bill to regulate the sale of seed cotton in the counties of Elbert, Wilkes and Lincoln.

Report of the committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered, and the vote was as follows:

Those voting in the affirmative were Messrs.—

Atkinson,	Harrell,	McMichael,
Christie,	Hopkins,	Middlebrooks,
Clark,	Hudson,	Park,
Comas,	Jordan,	Skelton,
Crumbley,	Lee,	Snead,
Davis,	Ledford,	Sweat,
Duncan of 10th,	McClure,	Taylor,
Duncan of 36th,	McLean,	Tisinger,
Golden,		

Those voting in the negative were Messrs.—

Allen,	Moore,	Stevens,
Merritt,	Perry,	Symons,

Those not voting were Messrs.—

Clements,	Mathews,	Turner,
Dodd,	Reid,	Van Buren,
Hightower,	Roberts,	Worsham,
Lewis,	Rountree,	Mr. President.

Ayes 25, nays 6.

The bill having received the requisite constitutional majority was passed.

Mr. Christie, chairman of the Committee on Banks, submitted the following report:

*Mr. President:*

The Committee on Banks has had under consideration the following bill of the House, which it instructs me to report back with the recommendation that it do pass:

A bill to amend an Act to incorporate the Fairburn Banking Company, and for other purposes connected therewith.

Respectfully submitted.

S. R. CHRISTIE, Chairman.

Mr. Ledford, chairman of the Committee on Education, submitted the following report:

*Mr. President:*

The Committee on Education has had under consideration the following House bill, which it instructs me to report with the recommendation that the same do pass:

A bill to incorporate the town of Morganton, in the county of Fannin, and for other purposes.

Respectfully submitted.

M. L. LEDFORD, Chairman.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

*Mr. President:*

The Committee on Corporations has had under consideration the following House bills, which it instructs me to report with the recommendation that they do pass:

A bill to codify the various Acts incorporating the city of Forsyth, in the county of Monroe.

A bill to incorporate the town of Canon, in the counties of Hart and Franklin.

A bill to reincorporate the town of Sylvania as the city of Sylvania, and for other purposes.

A bill to authorize the mayor and council of Washington, Georgia, to sell certain real estate belonging to said city.

A bill to empower the mayor and council of the town of Tybee to close certain land and convey certain land to the United States.

Respectfully submitted.

MIDDLEBROOKS, Chairman.

Senate bill No. 102 was tabled.

The following resolution was read and adopted:

By Mr. Park—

A resolution extending the sympathy of the Senate to Mrs. George P. Erwin on the death of her husband.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has concurred in the Senate amendment to the following House bill, to wit:

A bill to establish the city court of Fayetteville, in Fayette county.

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to amend the several Acts incorporating the town of Warsaw, and for other purposes.

Also, a bill to amend an Act creating a board of commissioners of roads and revenues in Hart county.

Also, a bill to amend an Act to establish a system of schools for the town of Doerun, in Colquitt county.

Also, a bill to create a board of fire commissioners for the city of Augusta, Georgia.

Also, a bill to amend the charter of the town of Oakland City.

Also, a bill to amend an Act to create and incorporate the city of Blakely, in the county of Early.

Also, a bill to amend the charter of the city of Dalton, in the county of Whitfield.

Also, a bill providing for improvement of certain grounds around the Georgia Normal and Industrial College at Milledgeville.

Also, a bill to repeal an Act chartering the town of Camilla, in the county of Mitchell.

Also, a bill to establish the city court of Brunswick, in and for the county of Glynn.

Also, a bill to amend an Act providing a new charter for the town of East Point, in the county of **Fulton**.

Also, a bill to amend an Act to incorporate the town of Hazlehurst, in the counties of Appling and Coffee.

Also, providing for the increase, for the year ending April, 1903, of salary of the mayor of Madison, Georgia.

Also, a bill to cede to the United States jurisdiction over certain land in the city of Savannah.

Also, a bill to add the city of Winder, in Jackson, Walton and Gwinnett counties, to the list of State depositories.

Also, a bill to amend an Act to incorporate the town of Deepstep, in the county of Washington.

Also, a bill to amend an Act to establish the city court of Moultrie.

Also, a bill to amend an Act to incorporate the town of Trip, in the county of Gwinnett, and change name to Grayson.

Also, a bill to amend an Act incorporating the town of Harrison, in the county of Washington.

Also, a bill to amend an Act creating a board of county commissioners of Jackson county.

Also, a bill to amend the charter of Austell, in Cobb county.

Also, a bill to amend an Act to incorporate the city of Cordele, in Dooly county.

Also, a bill to amend an Act creating the city court of Sandersville, in Washington county.

Also, a bill to levy and collect a tax for the support of the State government and public institutions, and for other purposes.

The House has passed by the requisite constitutional majority the following Senate bill, to wit:

A bill to cede to the United States jurisdiction over certain lands in Catoosa and Walker counties.

The House has concurred in the following resolution of the Senate.

A resolution for appointment of Senators and Representatives to visit the College of Agriculture and Mechanical Arts at Athens.

Mr. Duncan, chairman of the Committee on Engrossing, submitted the following report:

*Mr. President:*

The Committee on Engrossing has examined the following bills, which it finds correctly engrossed and ready for transmission to the House:

A bill to amend the Act to establish a dispensary in the city of LaGrange for the sale of spirituous liquors.

A bill to repeal the Act establishing the city court of Mount Vernon, in the county of Montgomery.

A bill to amend section 45 of the charter of Americus, approved November 11, 1899, so as to make the police commissioners of Americus elective by the people, and for other purposes.

A bill to amend the Act establishing the city court of Douglas, in the city of Douglas, approved December 9, 1897

Respectfully submitted.

A. B. DUNCAN, Chairman.

The following House bills were read first time:

By Mr. Fields—

A bill to amend the Act incorporating the town of Cordale, in Dooly county.

Referred to the Committee on Corporations.

By Messrs. Morris and McLain—

A bill to amend the charter of Austell.

Referred to the Committee on Corporations.

By Mr. Blackburn—

A bill to amend the Act providing for a new charter for the town of East Point.

Referred to the Committee on Education.

By Mr. Mulherin—

A bill to create a board of fire commissioners for the city of Augusta.

Referred to the Special Judiciary Committee.

By Mr. Pate—

A bill to amend the Act incorporating the town of Trip, in Gwinnett county.

Referred to the Committee on Corporations.

By Mr. Stovall—

A bill to cede to the United States certain lands in the city of Savannah.

Referred to the Special Judiciary Committee.

By Mr. Evans—

A bill to amend the Act incorporating the town of Deepstep, in Washington county.

Referred to the Committee on Corporations.

By Mr. Newton—

A bill to amend the Act incorporating Moultrie.

Referred to the Committee on Corporations.

By Mr. Butts—

A bill to establish the city court of Brunswick.

Referred to the Special Judiciary Committee.

By Mr. Cann—

A bill to amend and consolidate the several Acts incorporating the town of Warsaw.

Referred to the Committee on Corporations.

By Mr. Evans—

A bill to amend the Act incorporating the town of Harrison, in Washington county.

Referred to the Committee on Corporations.

By Mr. Buchannon—

A bill to amend the Act incorporating the town of Blakeley.

Referred to the Committee on Corporations.

By Mr. Cromartie—

A bill to amend the Act incorporating the town of Hazlehurst, in Appling county.

Referred to the Committee on Corporations.

By Mr. George—

A resolution to increase the salary of the mayor of Madison.

Referred to the Committee on Corporations.

By Mr. Howard—

A resolution to provide for the improvements of the grounds around the Georgia Normal School at Milledgeville.

Referred to the Committee on Education.

By Mr. Newton—

A bill to amend the Act establishing a system of public schools in Doerun, in Colquitt county.

Referred to the Committee on Education.

By Messrs. Hardeman and Holder—

A bill to amend the Act creating a board of county commissioners for Jackson county.

Referred to the Special Judiciary Committee.

By Mr. McCurry—

A bill to amend the Act creating the board of county commissioners for Hart county.

Referred to the Special Judiciary Committee.

By Messrs. Hardeman and Holder—

A bill to add the city of Winder to the list of State depositories.

Referred to the Committee on Banks.

By Mr. Evans—

A bill to amend the Act creating the city court of Sandersville.

Referred to the Special Judiciary Committee.

By Mr. Maples—

A bill to amend the charter of the town of Camilla, in Mitchell county.

Referred to the Committee on Temperance.

By Mr. Glenn—

A bill to amend the charter of the city of Dalton, in Whitfield county.

Referred to the Committee on Corporations.

By Messrs. Slaton, Houston and Blackburn—

A bill to amend the charter of the town of Oakland, in Fulton county.

Referred to the Committee on Corporations.

The following House bills were read second time and recommitted to the Special Judiciary Committee:

By Messrs. Hawes and Martin—

A bill to reduce the salary of the judge of the city court of Elberton.

By Mr. Kelly—

A bill to repeal an Act creating an advisory board of commissioners for the counties of Laurens and Glascock.

By Mr. Proctor—

A bill to prohibit the use or building of unlawful fences in Camden county.

By Mr. Overstreet—

A bill to establish the city court of Sylvania, in Screven county.

By Messrs. Slaton, Houston and Blackburn—

A bill to regulate the practice and procedure in justice courts of cities of 75,000 inhabitants.

By Mr. Peyton—

A bill to repeal the Act establishing the city court of Clarksville.

By Mr. Knight—

A bill to amend the Act creating the county court of Berrien county.

By Messrs. Booth and Lawrence—

A bill to repeal the Act creating the board of county commissioners for Walton county.

The following House bills were read second time:

By Mr. Hall—

A bill to amend the Act incorporating the Fairburn Banking Company.

By Mr. Daves—

A bill to incorporate the town of Morganton, in Fannin county.

By Mr. Burton—

A bill to incorporate the town of Canon.

By Mr. Cann—

A bill to authorize the mayor and council of Tybee to close Fourth avenue.

By Mr. Overstreet—

A bill to reincorporate the town of Sylvania, in Screven county.

By Messrs. Alexander and Grenade—

A bill to authorize the mayor and council of Washington, Georgia, to sell certain real estate.

By Messrs. Shannon and Walker—

A bill to codify the various Acts incorporating the city of Forsyth.

The following Senate bill was read second time and re-committed to the General Judiciary Committee:

By Mr. Comas—

A bill to amend section 752 of the Code.

The following bills were taken from the table and put upon their passage:

By Mr. Comas—

A bill to regulate the sale of mortgaged property under power of sale.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 1.

The bill having received the requisite constitutional majority was passed by substitute.

By Mr. Sweat—

A bill to establish dispensaries for Coffee county for the sale of spirituous liquors.

Report of the committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen,	Harrell,	McMichael,
Atkinson,	Hopkins,	Merritt,
Christie,	Hudson,	Middlebrooks,
Comas,	Jordan,	Moore,
Crumbley,	Lee,	Park,
Duncan of 10th,	Mathews,	Snead,
Duncan of 36th,	McClure,	Stevens,
Golden,	McLean,	Sweat,

Those voting in the negative were Messrs.—

Davis,	Perry,
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Those not voting were Messrs.—

Clark,	Reid,	Tisinger,
Clements,	Roberts,	Turner,
Dodd,	Rountree,	Van Buren,
Hightower,	Skelton,	Worsham,
Ledford,	Symons,	Mr. President.
Lewis,	Taylor,	

The bill having received the requisite constitutional majority was passed.

The following Senate bill was taken up with House amendments, which amendments were concurred in:

By Mr. Lee—

A bill to cede to the United States certain lands in Walker and Catoosa counties.

Amendments are as follows: Amend caption by inserting in the third line, after the word "Walker" and before the word "and," the word "Dade;" and by inserting in the thirteenth line, after the word "Gap" and before the word "and," "and across Lookout Mountain to the town of Rising Fawn, in Dade county, and along Lookout valley to the line of the State of Tennessee, near Wauhatchie." Amend section 1 by inserting after the word "Walker" and before the word "and," in the fourth line, the word "Dade." Amend section 2 by striking the word "county," in the fourth line, and inserting in lieu thereof "and Dade counties," and by adding after the word "Gap," in the last line of said section "and across Lookout Mountain to the town of Rising Fawn, in Dade county, and along Lookout valley to the line of the State of Tennessee, near Wauhatchie."

The following Senate bills were read first time:

By Mr. McMichael—

A bill to amend sections 1840 and 1841 of the Code.

Referred to the Special Judiciary Committee.

By Mr. McMichael—

A bill to authorize any corporation owning and operating street railroads in this State to extend its road into another State.

Referred to the Committee on Railroads.

By Mr. McMichael—

A bill to authorize street railroad companies to increase their capital stock.

Referred to the Committee on Railroads.

By Mr. Golden—

A bill to require the manufacturers of shoes to have stamped on the bottom of each pair the material out of which each pair is made.

Referred to the General Judiciary Committee.

By Mr. Golden—

A bill to prohibit the sale of cotton futures in this State.

Referred to the Committee on General Agriculture.

By unanimous consent Senator Smith, from the 18th district, who succeeds Senator Sullivan, was assigned to the same committees that Senator Sullivan was a member of, except the General Judiciary, but was added to the Finance Committee.

Senator Worsham was granted leave of absence on account of sickness in family.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

## SENATE CHAMBER, ATLANTA, GEORGIA,

Tuesday, December 9, 1902.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by Senator Perry.

On motion, the roll-call was dispensed with.

The Journal of yesterday was read and approved.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed, by the requisite constitutional majority, the following bills of the House, to wit:

A bill to amend an Act to establish a dispensary in the town of Buena Vista, in Marion county.

Also, a bill to amend an Act entitled an Act to incorporate the town of Bowdon, in Carroll county.

Also, a bill to protect the fish and provide the manner of fishing in the waters of Clayton county.

Also, a bill to amend an Act to establish a system of public schools in the town of Jesup.

Also, a bill to construct dams across the Savannah river for commercial purposes.

Also, a bill to pay off and retire bonds of the State as they mature by levy and collection of special tax.

Also, a bill to incorporate the Marble Hill school district, in Pickens county.

Also, a bill to incorporate the town of Dudley, in Laurens county.

Also, a bill to incorporate Young's Tanyard school district, in Coweta county.

Also, a bill to establish a system of public schools in the town of Bowdon, Carroll county.

Also, a bill to incorporate the town of Sylvester, in Worth county.

Also, a bill to incorporate the town of Bostwick, in Morgan county.

Also, a bill to create Zebulon school district, in Pike county.

Also, a bill to incorporate Lenard school district, in Cobb county.

Also, a bill to establish a dispensary in Athens.

Also, a bill to prohibit the sale of intoxicating liquors in Stewart county.

The House has passed by the requisite constitutional majority the following resolutions of the House, to wit:

A resolution authorizing the Governor to borrow money to supply casual deficiencies.

Also, a resolution to pay pension to Mrs. E. H. Stewart.

Also, a resolution to pay pension due J. D. Jarrard to his widow.

Also, a resolution to pay pension due M. D. Hattaway to his widow.

Also, a resolution providing for improvement of acoustics of Hall of House of Representatives.

Also, a resolution to pay J. F. DeLacy salary for quarter ending December 31, 1901.

Also, a resolution to make appropriation to meet deficiency in the public printing fund for 1902, and for other purposes.

Also, a resolution to pay pension due John P. Renew to his widow.

Also, a resolution to pay to the administrators of the estate of the late Patrick J. Sullivan the amount that would have been due him at close of session.

Also, a resolution to pay pension due R. W. Laird to his widow.

Also, a resolution to pay stenographer of committee appointed to consider that portion of the Governor's message relating to the depot of W. & A. R. R. in Atlanta.

Mr. Ledford, chairman of Committee on Education, submits the following report:

*Mr. President:*

The Committee on Education has had under consideration the following bills of the House which it instructs me to report back with recommendation that same do pass:

A bill to incorporate the Meansville school district, in Pike county.

A bill to amend the Act establishing a system of public schools for the town of Doerun.

A bill to provide a new charter for the town of East Point, in Fulton county.

A bill to establish a system of public schools for the Sylvania district, in Screven county.

A bill to amend the Act establishing a system of public schools in the town of Ashburn.

A resolution providing for the improvement of the grounds around the Georgia Normal School at Milledgeville.

The committee also recommends that the following Senate resolution do not pass: .

A resolution to inquire into the operation of the uniform school book system in the cities and towns where it has been adopted.

Respectfully submitted.

M. L. LEDFORD, Chairman.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

*Mr. President:*

The Committee on Corporations has had under consideration the following House bills, which it instructs me to report with the recommendation that they do pass as amended:

A bill to create a new charter for the town of Lumpkin, in Stewart county.

A bill to create a new charter for the town of Richland, in Stewart county.

Respectfully submitted.

L. L. MIDDLEBROOKS, Chairman.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

*Mr. President:*

The Committee on Corporations have had under consideration the following House bills, which it instructs me to report with the recommendation that they do pass:

A bill to amend, revise and consolidate the several Acts incorporating the town of Warsaw.

A bill to amend the charter of the city of Dalton, in Whitfield county.

A bill to amend the Act to establish the city court of Moultrie.

A bill to amend the charter of Austell, in Cobb county.

A bill to amend the charter of the city of Cordele, in Dooly county.

A bill to amend the charter of the town of Hazlehurst, in the counties of Appling and Coffee.

A bill to amend the charter of the town of Berkely, in Gwinnett county; to change its name to Grayson, and for other purposes.

A bill to amend the charter of the town of Deepstep, in Washington county.

A bill to amend the charter of the town of Harrison, in the county of Washington.

A bill to amend the charter of Blakely, in Early county, Georgia.

Respectfully submitted.

L. L. MIDDLEBROOKS, Chairman.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

*Mr. President:*

The Committee on Corporations has had under consideration the following House resolution, which it instructs me to report with the recommendation that the same do pass:

A resolution providing for the increase for the year ending April, 1903, of salary of the mayor of Madison, Georgia, and for other purposes.

Respectfully submitted.

L. L. MIDDLEBROOKS, Chairman.

The following Senate resolution was read first time:

By Mr. Roberts—

A resolution for the relief of E. A. Buck, of Berrien county.

Referred to the Special Judiciary Committee.

By Mr. Turner—

A resolution requesting the House to return House bill No. 150 to correct a clerical error.

This resolution was adopted.

The following House resolutions were read first time:

By Mr. Reid—

A resolution to authorize the Governor to borrow \$200,000.00, if necessary.

Referred to the Committee on Appropriations.

By Mr. Slaton—

A resolution to pay pension due to R. W. Laird to his widow.

Referred to the Committee on Appropriations.

By Mr. Houston—

A resolution to make appropriation to meet the deficiency in the public printing fund.

Referred to the Committee on Appropriations.

By Mr. Hall—

A resolution to pay the stenographer of the committee appointed to consider that portion of the Governor's message relative to the W. & A. R. R.

Referred to the Committee on Appropriations.

By Mr. Dunbar—

A resolution to pay pension of J. R. Renew to Mrs. Abbie Renew.

Referred to the Committee on Appropriations.

By Mr. Calvin—

A resolution to authorize the treasurer to pay the ad-

ministrator of the late Senator Sullivan amount due him for this session.

Referred to the Committee on Appropriations.

By Mr. Mayson—

A resolution to appropriate \$50.00 to Mrs. E. N. Stewart of DeKalb county.

Referred to the Committee on Pensions.

By Mr. Davis—

A resolution to pay J. F. DeLacy, solicitor-general, for the quarter ending December 31, 1901.

Referred to the Committee on Appropriations.

By Mr. Preston—

A resolution to pay the pension of Mrs. Martha L. Hathaway.

Referred to the Committee on Pensions.

By Mr. Calvin—

A resolution for the improvement of the acoustics of the House of Representatives.

Referred to the Committee on Appropriations.

By Mr. Stanford—

A bill to establish a dispensary in the city of Hamilton, in Harris county.

Referred to the Committee on Temperance.

By Mr. Fields—

A bill to amend the Act incorporating the city of Cordele, in Dooly county.

Senator-elect Smith, from the 18th, who succeeds the late Senator Sullivan, presented himself and took the oath as Senator-elect from the 18th district, the same being administered by Judge Jno. S. Candler, Associate Justice of the Supreme Court.

Mr. Duncan, chairman of the Committee on Engrossing, submitted the following report:

*Mr. President:*

The Committee on Engrossing have examined the following bills, which are found to be correctly engrossed and ready for transmission to the House:

A bill to regulate the sale of mortgaged property under power of sale.

A bill to establish dispensaries for Coffee county for the sale of liquors, and for other purposes.

Respectfully submitted.

A. B. DUNCAN, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following bill of the House, to wit.

A bill to amend the charter of the town of Doerun, in Colquitt county.

The House has passed by the requisite **constitutional** majority the following Senate bill, to wit:

A bill to change the time of meeting of the General Assembly.

The following House bills were read first time:

By Mr. Jones—

A bill to incorporate the Marble Hill school district, in Pickens county.

Referred to the Committee on Education.

By Mr. Mitcham—

A bill to protect the fish in the waters of Clayton county.

Referred to the Committee on Agriculture.

By Mr. O'Quinn—

A bill to amend the Act establishing system of public schools in the town of Jesup.

Referred to the Committee on Education.

By Mr. Edwards—

A bill to amend the Act establishing the dispensary in the town of Buena Vista, in Marion county.

Referred to the Special Judiciary Committee.

By Mr. Owen—

A bill to incorporate the Zebulon school district, in Pike county.

Referred to the Committee on Education.

By Mr. Reid—

A bill to pay off and retire the State bonds as they become due.

Referred to the Committee on Finance.

By Mr. Shackelford—

A bill to amend the Act establishing a dispensary in Athens.

Referred to the Temperance Committee.

By Messrs. Howard and Hicks—

A bill to incorporate the town of Dudley, in Laurens county.

Referred to the Committee on Corporations.

By Messrs. Morris and McLain—

A bill to incorporate the Lenard school district, in Cobb county.

Referred to the Committee on Education.

By Mr. Moses—

A bill to incorporate the Young's Tanyard school district, in Coweta county.

Referred to the Committee on Education.

By Messrs. Steed and Hixon—

A bill to amend the Act incorporating the town of Bowdon, in Carroll county.

Referred to the Committee on Corporations.

By Mr. Crumbley—

A bill to prohibit the sale of intoxicating liquors, ciders and bitters in Stewart county.

Referred to the Temperance Committee.

By Mr. McCurry—

A bill for the construction of dams across the Savannah river for manufacturing purposes.

Referred to the Committee on Agriculture.

By Messrs. Steed and Hixon—

A bill to establish a system of public schools in the town of Bowdon.

Referred to the Committee on Education.

By Mr. Alford—

A bill to amend the Act incorporating the town of Syl-vester, in Worth county.

Referred to the Committee on Corporations.

By Mr. George—

A bill to incorporate the town of Bostwick, in Morgan county.

Referred to the Committee on Corporations.

By Mr. Underwood—

A resolution to pay Mrs. Mary S. Jarrard pension due her husband.

Referred to the Committee on Pensions.

By Mr. Reid—

A bill for the levying and collecting taxes for the support of the State government.

Referred to the Committee on Finance.

By Mr. Newton—

A bill to amend the charter of the town of Doerun, in Colquitt county.

Referred to the Committee on Corporations.

Mr. Tisinger, chairman of the Special Judiciary Committee, submits the following report:

*Mr. President:*

The Committee on Special Judiciary has had under consideration the following bills of the House, which it instructs me to report back with the recommendation that they do pass:

A bill to reduce the salary of the judge of the city court of Elberton, and for other purposes.

A bill to establish the city court of Waynesboro, in the county of Burke, and for other purposes.

A bill to regulate the practice and procedure in justices courts, in cities of seventy-five thousand, or more, in habitants, and for other purposes.

A bill to repeal an Act to create an advisory board of commissioners for the counties of Laurens and Glascock, and for other purposes.

A bill to amend an Act creating the county court of Berrien county, and for other purposes.

A bill to establish the city court of Brunswick, in Glynn county, and for other purposes.

A bill to establish the city court of Sylvania, in Screven county, and for other purposes.

A bill to amend an Act to create a board of county commissioners for Jackson county, relating to superintendent of public roads, and for other purposes.

A bill to cede to the United State jurisdiction over certain land in the city of Savannah.

Also that the following bills of the House do not pass:

A bill to establish a county court for Wilkes county, and to repeal an Act entitled an Act to establish a city court of Washington, in and for the county of Wilkes.

A bill to prohibit the building or use of unlawful fences in the county of Camden.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. Perry, chairman of the General Judiciary Committee, submits the following report:

*Mr. President:*

The General Judiciary Committee has had under consideration the following bill of the Senate, which it instructs me to report back with the recommendation that it do pass:

A bill to amend an Act entitled an Act to amend section

752 of the Penal Code, which relates to the transfer of indictments from the superior court to the county court.

Respectfully submitted.

H. H. PERRY, Chairman.

Mr. Christie, chairman of the Committee on Banks, submitted the following report:

*Mr. President:*

The Committee on Banks has had under consideration the following House bill, which it instructs me to report with the recommendation that the same do pass:

A bill to add the city of Winder, in Jackson, Walton and Gwinnett counties, to the list of State depositories.

Respectfully submitted.

S. R. CHRISTIE, Chairman.

Mr. Mathews, chairman of the Committee on Railroads, submitted the following report:

*Mr. President:*

The Committee on Railroads have had under consideration the following Senate bills, which it instructs me to report with the recommendation that they do pass:

A bill to authorize street or suburban railroads to extend railroad in an adjoining State.

A bill to authorize corporations operating street or suburban railroads in this State to increase their capital stock, and to issue preferred stock, and for other purposes.

Respectfully submitted.

H. A. MATHEWS, Chairman.

Mr. Hopkins, chairman of the Committee on Appropriations, submitted the following report:

*Mr. President:*

The Committee on Appropriations has had under consideration the following House bill, which it instructs me to report with the recommendation that the same do pass as amended:

A bill to make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the government, and for other purposes.

It has also had under consideration the following House resolution, which it instructs me to report with the recommendation that the same do pass as amended:

A resolution to appropriate the sum of \$15,000 for the purpose of making necessary repairs on the Capitol building.

Respectfully submitted.

H. W. HOPKINS, Chairman.

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to amend an Act incorporating the city of Cordele, in Dooly county.

A bill to establish a dispensary in the city of Hamilton, in Harris county.

The following Senate bills were read second time:

By Mr. McMichael—

A bill to amend sections 1840 and 1841 of the Civil Code.

By Mr. McMichael—

A bill to authorize corporations operating suburban street railroad companies to increase their capital stock.

By Mr. McMichael—

A bill to authorize corporations operating street railroads in this State to extend their lines into other States.

The following Senate bill was read second time and re-committed to the General Judiciary Committee:

By Mr. Perry—

A bill to repeal the Act establishing the city court of Hall county.

The following House bill was taken from the table to be put upon its passage:

By Mr. Flynt—

A bill to amend the Act providing for inspectors of roads and bridges for the several counties of this State.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 8.

The bill having received the requisite constitutional majority was passed as amended, and the amendments are as follows: Provided that nothing in this Act shall affect counties having over 25,000 population already having such system herein provided.

On motion, the appropriation bill was made special order for to-morrow morning immediately after the reading

of the Journal, and 100 copies ordered printed for the use of the Senate.

The following House bills were read second time:

By Mr. Glenn—

A bill to amend the charter of the town of Dalton.

By Mr. Newton—

A bill to amend the Act establishing schools in the town of Doerun.

By Mr. Evans—

A bill to amend the Act incorporating the town of Deepstep.

By Mr. Cromartie—

A bill to amend the Act incorporating the town of Hazelhurst.

By Mr. Pate—

A bill to amend the Act incorporating the town of Trip.

By Mr. Fields—

A bill to amend the Act incorporating the town of Cordele.

By Mr. Newton—

A bill to amend the Act establishing the city court of Moultrie.

By Messrs. Morris and McLain—

A bill to amend the charter of Austell.

By Mr. George—

A resolution to increase the salary of the mayor of Madison.

By Mr. Evans—

A bill to amend the Act incorporating the town of Harrison.

By Mr. Buchannon—

A bill to amend the Act incorporating the town of Blakely.

By Mr. Cann—

A bill to amend and consolidate the several Acts incorporating the town of Warsaw.

By Mr. Owen—

A bill to incorporate the Meanville school district, in Pike county.

By Mr. Overstreet—

A bill to establish a system of public schools in the Sylvania school district, in Screven county.

By Mr. Alford—

A bill to amend the Act establishing a system of public schools in the town of Ashburn.

By Mr. Blackburn—

A bill to provide for a new charter for the town of East Point.

By Mr. Howard—

A resolution to provide for certain improvements on the grounds of the Georgia Normal School at Milledgeville.

By Mr. Evans—

A bill to amend the Act creating the city court of Sandersville.

By Messrs. Hardeman and Holder—

A bill to provide for the adding of the city of Winder to the list of State depositories.

By Mr. Butts—

A bill to establish the city court of Brunswick.

By Messrs. Hardeman and Holder—

A bill to amend the Act creating the board of county commissioners for Jackson county.

By Mr. Stovall—

A bill to cede to the United States certain lands in the city of Savannah.

The following Senate resolution was taken up with adverse report from the committee:

By Mr. Park—

A resolution appointing a commission to investigate the operation of the uniform school book system.

The following minority report was submitted on this resolution:

We, the undersigned members of the Committee on Education, believing that resolution No. 27, for the purpose of investigating the uniformity system of text-books adopted by other States of the Union, as to their cost, quality, etc., etc., in order to bring the facts before the General Assembly, so that the bill to adopt a uniform system of text-books for the State of Georgia can be intelligently acted upon, respectfully dissent from the report of Committee on Education, and ask leave to file this minority report.

Signed

W P DODD,  
 P H. COMAS,  
 W G. PARK,  
 A. B. DUNCAN, 10th District,  
 W A. WORSHAM,  
 T. G. HUDSON,  
 ALEX. ATKINSON,  
 R. L. MERRITT,  
 H. A. MATHEWS,  
 J R. VAN BUREN.

Upon agreeing to the report of the committee the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen,	McClure,	Symons,
Crumbley,	McMichael,	Tisinger,
Davis,	Reid,	Turner,
Hightower,	Snead,	Mr. President.
Ledford,	Stevens,	

Those voting in the negative were Messrs.—

Atkinson,	Clements,	Duncan of 36th,
Christie,	Dodd,	Golden,
Clark,	Duncan of 10th,	Harrell,

Hopkins,	Merritt,	Roberts,
Hudson,	Middlebrooks,	Sweat,
Jordan,	Moore,	Taylor,
Lee,	Park,	Van Buren,
Mathews,	Perry,	Worsham,
McLean,		

Those not voting were Messrs.—

Comas,	Lewis,	Smith,
Rountree,	Skelton,	

Ayes 14, nays 25.

The report of the committee was disagreed to.

Upon the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Atkinson,	Harrell,	Middlebrooks,
Christie,	Hopkins,	Moore,
Clark,	Hudson,	Park,
Clements,	Jordan,	Roberts,
Dodd,	Lee,	Snead,
Duncan of 10th,	Mathews,	Sweat,
Duncan of 36th,	McLean,	Taylor,
Golden,	Merritt,	Worsham,

Those voting in the negative were Messrs.—

Allen,	McClure,	Stevens,
Crumbley,	McMichael,	Symons,
Davis,	Perry,	Tisinger,
Hightower,	Skelton,	Turner,
Ledford,	Smith,	

Those not voting were Messrs.—

Comas,	Reid,	Van Buren,
Lewis,	Rountree,	Mr. President.

Ayes 24, nays 14.

The resolution having received the requisite constitutional majority was passed as amended, and the amendments are as follows, by inserting the following: The word "nine," when the word "eight" appears in the resolution, and inserting the following between the word "chairman," in the fifteenth line, and the word "together," immediately following, so as to read, "and State commissioner-elect W. B. Merritt, secretary, and a member of the commission." Also amend by striking out the last paragraph of the resolution and inserting in lieu thereof the following: "Resolved further, That all existing contracts for text-books, or adoptions for same, in the various counties of the State, be extended till January 1, 1905, and that no county board of education in the State be authorized to make any adoption of text-books or changes in contracts in any way until January 1, 1905.

Mr. Symons, chairman of the Committee on Enrollment, submitted the following report:

*Mr. President:*

The Committee on Enrollment reports as duly enrolled, signed by the President of the Senate and Speaker of the House of Representatives and delivered to the Governor, the following Act, to wit:

An Act to change the time of meeting of the General Assembly from the fourth Wednesday in October to the fourth Wednesday in June, and for other purposes.

Respectfully submitted.

W. F. SYMONS, Chairman.

Mr. Symons, chairman of the Committee on Enrollment, submitted the following report:

*Mr. President:*

The Committee on Enrollment reports as duly enrolled and ready for the signatures of the President of the Senate and Speaker of the House, the following Act, to wit:

An Act to change the time of meeting of the General Assembly from the fourth Wednesday in October to the fourth Wednesday in June, and for other purposes.

Respectfully submitted.

W F. SYMONS, Chairman.

Mr. Tisinger, chairman of the Committee on Special Judiciary, submitted the following report:

*Mr. President:*

The Committee on Special Judiciary has had under consideration the following bill of the House, which it instructs me to report back with the recommendation that it do pass:

A bill to amend an Act approved October 31, 1901, creating the city court of Sandersville, and for other purposes.

Respectfully submitted.

B. L. TISINGER, Chairman.

The following Senate bill was read third time and put upon its passage:

By Mr. Comas—

A bill to amend section 752 of the Code.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

The following House bills were read third time to be put upon their passage:

By Mr. McElmurray—

A bill to establish the city court of Waynesboro.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed as amended, and the amendments are as follows: Amend by striking out all of section 4, after the word "enacted," in the first line, and inserting in lieu thereof the following: "That there shall be a judge of said city court of Waynesboro who shall be elected by the people, whose term of office shall be four years, and all vacancies in the office of judge of said court shall be filled as vacancies in the office of judge of the superior court are now filled; provided, however, that Phil. P. Johnson, of the county of Burke, shall be the judge of said court until the general election, to be held in the year 1904, at which said election a judge for the city court of Waynesboro shall be elected for the term of four years, said term of office to begin on December 1st after said general election. At the general election each four years thereafter his successor shall be elected. The judge of said city court of Waynesboro shall receive a salary of \$1,000.00 per annum, which shall be paid to him monthly on warrant of the county commissioners of roads and revenues out of the treasury of the county of Burke." Amend section 5 by striking after the word "enacted," in the first line, the words "that any

person who shall be appointed judge of said city court must be at the time of his appointment," and insert in lieu thereof, "that any person to be eligible to the office of judge of said city court must, at the time of his election." Amend said fifth section further by striking the word "appointment," in the eighth and tenth lines of said section, and inserting in lieu thereof the word "elected." Amend section eleven (11) by striking out that part of said section after the words "shall be," in the third line thereof, down to and including the word "thereafter," in the fourteenth line of said section, and inserting in lieu thereof the following: "Elected by the people, whose term of office shall be for four years. All vacancies in said office of solicitor of said court shall be filled as vacancies in the office of solicitors-general are now filled; provided, however, that Floyd L. Scales, of the county of Burke, shall be solicitor of said city court until the general election, to be held in the year 1904, at which said election a solicitor for said city court of Waynesboro shall be elected for the term of four years. The term of said officer to begin December 1, 1904, after said general election. At the general election each four years thereafter, his successor shall be elected." Amend said section eleven by striking the word "appointed," in the fourteenth line, and inserting in lieu thereof "elected," and the word "appointed," in the sixteenth line, and inserting in lieu thereof "elected."

By Messrs. Hawes and Martin—

A bill to reduce the salary of the judge of the city court of Elberton.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Knight—

A bill to amend the Act creating the county court of Berrien county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Kelly—

A bill to repeal the Act creating the board of commissioners of roads and revenues for the counties of Laurens and Glascock.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Slaton and Houston—

A bill to regulate the practice and procedure in justice courts in counties of 75,000, or more, inhabitants.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Shannon and Walker—

A bill to codify the several Acts incorporating Forsyth, in Monroe county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Crumbly—

A bill to create a new charter for the town of Richland, in Stewart county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 31, nays 0.

The bill having received the requisite constitutional majority was passed as amended, and the amendments are by striking out section 19 of bill.

By Mr. Crumbly—

A bill to create a new charter for the town of Lumpkin, in Stewart county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed as amended, and the amendments are by striking out section 19 of the bill.

By Mr. Hall—

A bill to amend the Act incorporating the Fairburn Banking Company.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Overstreet—

A bill to establish the city court of Sylvania, in Screven county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Overstreet—

A bill to reincorporate the town of Sylvania, in Screven county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Daves—

A bill to incorporate the town of Morganton, in Fannin county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Grenade and Alexander—

A bill to authorize the mayor and council of Washington to sell certain real estate.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Cann—

A bill to authorize the mayor and council of the town of Tybee to close Fourth street.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Burton—

A bill to incorporate the town of Canon, in the counties of Hart and Franklin.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Steed—

A resolution appropriating \$15,000 to repair the State Capitol building.

Report of the committee was agreed to.

Upon the passage of bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Atkinson,	Hightower,	Moore,
Christie,	Hopkins,	Perry,
Clark,	Hudson,	Reid,
Clements,	Jordan,	Smith,
Comas,	Lee,	Snead,
Crumbley,	Ledford,	Stevens,
Dodd,	McClure,	Sweat,
Duncan of 10th,	McLean,	Taylor,
Duncan of 36th,	McMichael,	Van Buren,
Golden,	Merritt,	Worsham,
Harrell,	Middlebrooks,	

Those not voting were Messrs.—

Allen,	Park,	Symons,
Davis,	Roberts,	Tisinger,
Lewis,	Rountree,	Turner,
Mathews,	Skelton,	Mr. President,

Ayes 33, nays 0.

The resolution having received the requisite constitutional majority was passed as amended: By striking \$15,000 and substituting \$8,400. The amount appropriated by the resolution shall be as follows: For roof, walk-ways to be of galvanized iron, the sum of \$7,500, or so much thereof as may be necessary; for repairing and resetting tiles \$200; for separate seven connecting down-spouts \$600; for repainting stone and brick work \$100.

The following House bills were taken up with adverse report from committee. The report was agreed to and the bills were lost.

By Messrs. Alexander and Grenade—

A bill to establish a county court for Wilkes county.

By Mr. Proctor—

A bill to prohibit the building or use of unlawful fences in this State.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

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SENATE CHAMBER, ATLANTA, GEORGIA,

Wednesday, December 10, 1902.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

On motion, the roll-call was dispensed with.

The Journal of yesterday was read and approved.

Mr. Symons, chairman of the Committee on Enrollment, submitted the following report:

*Mr. President:*

The Committee on Enrollment reports as duly enrolled

and ready for the signatures of the President of the Senate and Speaker of the House, the following Act, to wit:

An Act to cede to the United States the jurisdiction of this State over certain lands in the counties of Walker, Dade and Catoosa, in this State, adjacent to or in the vicinity of Chickamauga National Military Park, and for other purposes.

Respectfully submitted.

W F SYMONS, Chairman.

The following message was received from his Excellency the Governor, through his Secretary, Mr. Hitch, to wit:

*Mr. President:*

I am directed by his Excellency the Governor to deliver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in executive session.

The following message was received from the House through Mr. Beifeuillet, the Clerk thereof:

*Mr. President:*

The House has concurred in Senate amendment to the following House bill, to wit:

A bill to create a new charter for the city of Hawkinsville, in Pulaski county.

The House refuses to concur in the Senate amendment to the following House bill, to wit:

A bill to create a board of commissioners of roads and revenues for the county of Rockdale.

The House has passed by the requisite constitutional majority the following House bills, to wit:

A bill to amend section 982 of the Code, so as to add Sandersville, in Washington county, to the list of State depositories.

Also, a bill to regulate the sale of all syrups and adulteration thereof within the State.

Also, a bill to incorporate the city of Russell, and for other purposes.

Also, a bill to amend section 45 of the charter of Americus, Georgia.

Also, a bill to amend the charter of Augusta, Georgia.

Also, a bill to cede to the United States jurisdiction of certain lands in Athens, Georgia.

Also, a bill to amend an Act to establish a system of public schools in Marshallville, Georgia.

Also, a bill to fix the time of election of all officers of incorporated cities in this State now having, or which may have hereafter, not less than fifty thousand nor more than seventy-five thousand inhabitants.

Also, a bill to establish a dispensary in Whitfield county.

Also, a bill to protect fish in the streams of Bartow county.

Also, a bill to authorize the mayor and council of Jasper, Georgia, to issue bonds for school purposes.

Also, a bill to provide for removal of obstructions from streams in Morgan county.

The House has passed by the requisite constitutional majority the following House resolution, to wit:

A resolution to investigate and determine whether irrigation and drainage in this State can be successfully done.

The following Senate bills were read third time and put upon their passage--

By Mr. McMichael—

A bill to authorize any corporation operating street railroad companies in this State to extend its line into another State.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

This bill was ordered immediately transmitted to the House.

By Mr. McMichael—

A bill to authorize corporations operating street railroad companies to increase their capital stock.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed and ordered immediately transmitted.

Mr. Davis, chairman of the Committee on Finance, submitted the following report:

*Mr. President:*

The Committee on Finance has had under consideration the following bills of the House, which it requests me to report back with recommendation that the same do pass:

A bill to be entitled an Act to pay off the retired bonds of the State as they mature by levy and collection of a tax for that purpose, and for other purposes.

The committee also recommends that the following bill do pass as amended:

A bill to be entitled an Act to provide for and require the payment of taxes on all special franchises, and to prescribe the method for the return and payment of said taxes.

Respectfully submitted,

WM. H. DAVIS, Chairman.

Mr. Jordan, chairman of the Committee on Agriculture, submitted the following report:

*Mr. President:*

The Committee on Agriculture has had under consideration the following House bill, which it instructs me to report to the Senate with the recommendation that it do pass, to wit:

A bill to protect the fish, and provide the manner of fishing in any and all waters in Clayton county.

Also, that the following bill of the House be recommit-  
ted to the Special Judiciary Committee:

A bill for the construction of a dam or dams across Savannah river, in Elbert county.

Respectfully submitted,

C. H. JORDAN, Chairman.

Mr. Duncan, chairman of the Temperance Committee, submitted the following report:

*Mr. President:*

The Committee on Temperance has had under consideration the following bills of the House, which it instructs me to report back to the Senate with the recommendation that the same do pass:

A bill to prohibit the sale of intoxicating liquors in Stewart county.

A bill to amend the Act establishing a dispensary in Athens.

Respectfully submitted.

DUNCAN (36th), Chairman.

House bill No. 450 was recommitted to the Special Judiciary Committee.

The following House bill was read third time:

By Mr. Thompson—

A bill to provide for the removal of obstructions from the streams of Hall county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional ma-

jority was passed as amended, and the amendments are as follows: Amend section 5 by adding "that none of the provisions of this Act shall go into effect until the same is recommended by the grand jury of Hall county."

Mr. Duncan, chairman of the Committee on Engrossing, submitted the following report:

*Mr. President:*

The Committee on Engrossing has examined the following bill, which it finds correctly engrossed and ready for transmission to the House:

A bill to amend section 752 of the Penal Code, which relates to the transfer of indictments from the superior to the county court.

The following resolution has also been examined and is found to be correctly engrossed and ready for transmission to the House:

A resolution to inquire into the present city and county adoption of text-books and the operations of the same, and for other purposes.

Respectfully submitted.

A. B. DUNCAN, Chairman.

Mr. Hudson, chairman of Committee on Pensions, submits the following report:

*Mr. President:*

The Committee on Pensions has had under consideration the following resolutions and requests they be read second time and recommitted to Committee on Pensions:

A resolution to pay Mary S. Jarrard a pension due her husband at the time of his death.

A resolution appropriating fifty dollars to Mrs. E. W. Stewart for pension due her husband at his death.

A resolution to pay the pension of Mrs. Martha L. Hat-taway.

A resolution to pay Mrs. R. W. Laird pension, and for other purposes.

Respectfully submitted.

T. G. HUDSON, Chairman.

Mr. Duncan, chairman of the Committee on Engrossing, submitted the following report:

*Mr. President:*

The Committee on Engrossing has examined the following bills, which it finds correctly engrossed and ready for transmission to the House:

A bill to authorize street or suburban railroads to extend railroad into another State.

A bill to authorize street or suburban railroads to increase their capital stock, and to issue preferred stock.

Respectfully submitted.

A. B. DUNCAN, Chairman.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

*Mr. President:*

The Special Judiciary Committee has had under consideration the following bill of the Senate, which it in-

structs me to report back with the recommendation that it do pass:

A bill to amend sections 1840 and 1841 of the Civil Code of 1895.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. Ledford, chairman of the Committee on Education, submits the following report:

*Mr. President:*

The Committee on Education has had under consideration the following bills of the House, which it instructs me to report back with the recommendation that they do pass:

A bill to incorporate Young's Tanyard school district, in Coweta county, and for other purposes.

A bill to create Zebulon school district, in Pike county, and for other purposes.

A bill to incorporate the Marble Hill school district, in Pickens county, and for other purposes.

A bill to establish a system of public schools in the town of Bowdon, in Carroll county, and for other purposes.

A bill to amend an Act entitled an Act to establish a system of public schools in the town of Jesup, approved December 12, 1893, and for other purposes.

Respectfully submitted.

M. L. LEDFORD, Chairman.

Mr. Christie, chairman pro tem. of the Committee on Corporations, submitted the following report:

*Mr. President:*

The Committee on Corporations has had under consideration the following House bills, which it instructs me to report with the recommendation that they do pass:

A bill to amend the charter of the city of Cordele, in Dooly county.

A bill to amend the charter of the town of Doerun, in Colquitt county.

A bill to incorporate the town of Bostwick, in Morgan county.

A bill to incorporate the town of Dudley in Laurens county.

A bill to amend the charter of the town of Sylvester, in Worth county.

A bill to incorporate the town of Bowdon, in the county of Carroll.

Respectfully submitted.

S. R. CHRISTIE, Chairman, pro tem.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following bill of the House, to wit:

A bill to increase authority of recorder's court in certain cities in this State in regard to minors.

The House has passed by the requisite constitutional majority the following House resolution, to wit:

A resolution for relief of W & A. R. R.

The following message was received from the House through Mr. Boifcuillet, the Clerk thereof: .

*Mr. President:*

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to create a district court for the city of Tifton.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

*Mr. President:*

The Special Judiciary Committee has had under consideration the following bill of the Senate, which it instructs me to report back with the recommendation that the same do pass:

A bill to amend sections 1840 and 1841 of the Code of 1895.

Respectfully submitted.

B. L. TISINGER, Chairman.

The following message was received from the House through Mr. Boifcuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following bill of the Senate, to wit:

A bill to reorganize the military forces of this State, and for other purposes.

The following special order was taken up:

By Mr. Davis—

A bill to make appropriation for the support and maintenance of the State government for the years 1903 and 1904.

The following amendments were adopted: Amend by adding between lines 20 and 21 of section 3 the following: "For compensation of one doorkeeper and assistant messenger for the rear door of messenger's room of Senate, four dollar per day; for compensation of two assistant doorkeepers on floor of Senate four dollars per diem. Amend by striking out the word "three," in line 25, and insert "five," relative to number of pages. Amend section 3: "For compensation of committee appointed under Act of the Legislature of 1901, consisting of two members of the Senate and four from House, at the rate of four dollars per day for the time actually engaged in performance of their duties, and for compensation of stenographer at same rate as members, and amount shall not exceed four hundred dollars." Amend by striking "\$310,000" for sanitarium and inserting "\$340,000." Amend by making the appropriation \$15,000 instead of \$12,500 for Soldiers' Home.

On this amendment the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen,  
Clark,  
Crumbly,

Davis,  
Duncan of 10th,  
McClure,

McLean,  
Merritt,  
Moore,

Park,	Snead,	Taylor,
Perry,	Stevens,	Turner,
Reid,	Sweat,	Van Buren,
Smith,	Symons,	Worsham,

Those voting in the negative were Messrs.—

Atkinson,	Harrell,	Ledford,
Christie,	Hightower,	Mathews,
Comas,	Hopkins,	McMichael,
Dodd,	Hudson,	Roberts,
Duncan of 36th,	Jordan,	Skelton,
Golden,	Lee,	Tisinger,

Those not voting were Messrs.—

Clements,	Middlebrooks,	Mr. President.
Lewis,	Rountree,	

Ayes 21, nays 18.

The amendment was adopted.

## AMENDMENTS TO HOUSE BILL 159.

Amendment No. 1. (By committee):

Amend section 1 by striking out all of the words in the fourth (4th) line after the word “for,” and the word and figures “year 1903,” in the fifth (5th) line, and inserting in lieu thereof the following: “Each of the fiscal years 1903 and 1904.”

Adopted.

Amendment No. 2:

Amend section 1, in line 21, by striking out all that occurs after the word “dollars,” and by striking out all of line 22.

Adopted.

## Amendment No. 3:

Amend section 2, line 4, by striking out the words and figures "the year 1903," and inserting in lieu thereof the words and figures "for each of the fiscal years 1903 and 1904."

Adopted.

## Amendment No. 4:

Amend section 3, line 4, by striking out the words and figures, "the year 1903," and inserting in lieu thereof the words and figures, "for each of the fiscal years 1903 and 1904."

Adopted.

## Amendment No. 5:

Amend section 3, line 34, by striking out the word "five" and inserting in lieu thereof the word "three," and by striking out the word "eight" and inserting in lieu thereof the word "five."

Adopted.

## Amendment No. 6:

Amend section 4, line 4, by striking out the words and figures, "the fiscal year 1903," and inserting in lieu thereof the words and figures "each of the fiscal years 1903 and 1904."

Adopted.

## Amendment No. 17:

Amend section 5, line 6, by inserting after the figures

“1903,” and before the word “to,” the following words: “and one hundred thousand dollars on bonds maturing January 1st, 1904.”

Amend by adding at end of section 3 “that the sum of one hundred and twenty-three dollars be appropriated to pay for seventy-five chairs for the use of the Senate, ordered by the Senate for committee rooms, and that the same be paid on executive warrant to the Secretary of the Senate.”

“That the sum of four dollars per day each be appropriated to pay a doorkeeper for the cloak room and a third assistant doorkeeper of the Senate for the session 1902, under resolutions adopted by the Senate.”

Amendment No. 18:

Amend section 5 by adding at the end thereof the following: “To pay the interest maturing in 1904, the sum of three hundred and sixteen thousand, eight hundred and eighty dollars.”

And the treasurer is hereby authorized and required to apply the fund in the treasury, which has arisen from the sale of public property, and known as the Public Property Fund, to pay the interest on the public debt when the same matures, in accordance with the appropriation set out for in this paragraph.

Amendment No. 19:

Amend section 4 by inserting between line 18 and line 19 thereof, the following words: “For the support and maintenance of the South Georgia Agricultural College, a branch of the State University, at Thomasville, the sum of twenty-five hundred dollars for each of the years 1903 and 1904.”

Adopted.

Substitute for lines 53, 54, 55 and 56 of printed bill of section 6 of the general bill.

For republishing earlier Georgia Reports, when copyrights on same have expired, and for compiling and publishing, under the direction of the Governor, the Colonial Revolutionary and Confederate Records of Georgia, such sums as may be necessary to pay the contract price for such work, to be paid only out of the money received into the treasury during the years 1903 and 1904 from the sale of such republished Georgia Reports, as provided by the Act of December 16, 1899, and from the sale of such Colonial, Revolutionary and Confederate Records so published.

Amend section 6, in line 28 of printed bill by striking out the words "a porter and the sum of two hundred," and insert in lieu thereof the words "a stenographer and a porter the sum of \$800.00."

Amendment No. 9:

Amend section 6, in line 4, by striking out the words and figures "the year 1903." and inserting in lieu thereof the words and figures "each of the years 1903 and 1904."

Adopted.

Amendment No. 10:

Amend section 6, in line 69, by striking out the words "two thousand," and inserting in lieu thereof the words "fifteen hundred."

Adopted.

Amendment No. 11:

Amend section 6, in line 88, by inserting after the figures "1903" the word and figures "and 1904."

Adopted.

## Amendment No. 13:

Amend section 6, line 132, by striking out the words and figures "the year 1903," and inserting in lieu thereof the words and figures "each of the years 1903 and 1904."

Adopted.

## Amendment No. 14:

Amend section 6 by striking out all of lines 133, 134, 135, 136 and 137, except the two last lines of 137, and by inserting in lieu thereof the following: "Provided that the assistant geologist, acting chemist, shall devote ninety days, and the other assistant geologist one hundred and fifty days, to field trips, during each of the years for which this appropriation is available."

Adopted.

## Amendment No. 15:

Amend section 6, in line 170, by striking out the words and figures "the year 1903," and by inserting in lieu thereof the words and figures "each of the years 1903 and 1904."

Adopted.

## Amendment No. 16:

Amend section 6, line 171, by striking out the word "twenty" and inserting the word "eighteen."

Also, by adding at the end of section 6 the following: "Provided that only five hundred dollars of this appropriation shall be available for the salary of the adjutant-general."

Adopted.

## Amendment No. 17:

Amend section 5, line 6, by inserting after the figures "1903," and before the word "to," the following words: "and one hundred thousand dollars on bonds maturing January 1, 1904."

Adopted.

## Amendment No. 18:

Amend section 5 by adding at the end thereof the following: "To pay the interest maturing in 1904, the sum of three hundred and sixteen thousand, eight hundred and eighty dollars."

Adopted.

## Amendment No. 19:

Amend section 4 by inserting between line 18 and line 19 thereof, the following words: "For the support and maintenance of the South Georgia Agricultural College, a branch of the State University, at Thomasville, the sum of twenty-five hundred dollars for each of the years 1903 and 1904."

Adopted.

## Amendment No. 20:

Amend caption of the bill by striking from line 5 thereof the words and figures "the year 1903," and inserting in lieu thereof the words and figures "each of the fiscal years 1903 and 1904."

Adopted.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen,	Ledford,	Smith,
Atkinson,	Mathews,	Snead,
Clark,	McClure,	Stevens,
Comas,	McLean,	Sweat,
Davis,	McMichael,	Symons,
Duncan of 36th,	Merritt,	Taylor,
Hightower,	Moore,	Tisinger,
Hopkins,	Park,	Turner,
Hudson,	Reid,	Van Buren,
Jordan,	Roberts,	Worsham,
Lee,		

Those voting in the negative were Messrs.—

Christie,	Dodd,	Harrell,
Crumbley,	Golden,	Skelton,

Those not voting were Messrs.—

Clements,	Middlebrooks,	Rountree,
Duncan of 10th,	Perry,	Mr. President.
Lewis,		

Ayes 31, nays 6.

The bill having received the requisite constitutional majority was passed as amended.

On motion, the franchise tax bill was made special order for to-morrow morning immediately after the reading of the Journal.

The following Senate bill was read third time and put upon its passage:

By Mr. McMichael—

A bill to amend sections 1840 and 1841 of the Code.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

The following House bill was read second time and re-committed to the Finance Committee:

By Mr. Reid—

A bill to levy and collect a tax for the support of the State government for the years 1903 and 1904.

On motion, the Senate adjourned until 3 o'clock this afternoon.

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3 O'clock p.m.

The Senate met pursuant to adjournment at 3 o'clock; was called to order by the President.

On motion, the roll-call was dispensed with.

Mr. Duncan, chairman of the Committee on Engrossing, submitted the following report:

*Mr. President:*

The Committee on Engrossing has examined the following bill, which it finds correctly engrossed and ready for transmission to the House:

A bill to amend sections 1840 and 1841 of the Civil Code of 1895, and for other purposes.

Respectfully submitted.

A. B. DUNCAN, Chairman.

The following message was received from the House through Mr. Boifenuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to establish a dispensary in the city of Milledgeville, Georgia.

Also, a bill to create the city court of Dublin, in and for Laurens county.

Also, a bill to incorporate the Hopeful school district, in Mitchell county.

Also, a bill to incorporate the city of Vidalia, in Montgomery county.

The following House bills were read first time:

By Mr. Mulherin—

A bill to amend the charter of the city of Augusta.

Referred to the Special Judiciary Committee.

By Mr. Conner—

A bill to protect fish in the streams of Bartow county.

Ordered engrossed.

By Mr. Brinson—

A bill to regulate the sale of syrup in this State.

Referred to the Committee on Agriculture.

By Mr. George—

A bill to provide for the removal of obstructions in the streams of Morgan county.

Referred to the Special Judiciary Committee.

By Mr. Hixon—

A bill to amend section 45 of the charter of Americus.

Referred to the Committee on Corporations.

By Messrs. Cann, Stovall and Hardin—

A bill to provide a time for the holding of elections in cities of 50,000 inhabitants.

Referred to the Committee on Corporations.

By Mr. Hayes—

A bill to amend the Act establishing a system of public schools in Marshallville.

Referred to the Committee on Corporations.

By Mr. Glenn—

A bill to establish a dispensary in Whitfield county.

Referred to the Committee on Temperance.

By Mr. Shackelford—

A bill to cede to the United States certain lands in the city of Athens.

Referred to the General Judiciary Committee.

By Mr. Jones—

A bill to authorize the mayor and council of Jasper to issue bonds.

Referred to the Committee on Corporations.

By Mr. Evans—

A bill to establish a State depository in the city of Sandersville.

Referred to the Committee on Banks.

By Mr. Wooten—

A bill to incorporate Vidalia, in Montgomery county.

Referred to the Committee on Corporations.

By Mr. Howard—

A bill to provide for the establishment of a dispensary in Milledgeville.

Referred to the Committee on Temperance.

By Messrs. Howard and Hicks—

A bill to create the city court of Dublin.

Referred to the General Judiciary Committee.

By Mr. Singletary—

A bill to incorporate the Hopeful school district, in Mitchell county.

Referred to the Committee on Education.

By Mr. Knight—

A bill to establish the city court of Tifton.

Referred to the Committee on Corporations.

By Mr. Houston—

A bill to increase the authority of the recorder's court in certain cities.

Referred to the Special Judiciary Committee.

The following House resolution was read and concurred in:

By Mr. Hardeman—

A resolution to provide for an investigation to determine whether or not irrigation and drainage in this State can be successfully done.

## REPORT OF VISITING COMMITTEE TO THE GEORGIA STATE NORMAL SCHOOL.

*Mr. President and Gentlemen of the Senate:*

The committee appointed to visit the State Normal School at Athens beg to make the following report:

At nine o'clock on the morning of the 4th inst., we arrived at the Normal and spent two hours in investigating its buildings, their conditions and needs, and in studying its plans and purposes. We did not go simply to the office of President Branson and get a report of conditions and data from him, but we made a personal inspection of the dormitories, recitation rooms, chapel, manual training shop, model school, cooking school, kitchen and dining hall. Upon this careful personal examination we make our report.

The Act creating a Normal School was approved in 1891, but so light were the appropriations for three years that it was impossible to run the school more than five

or six weeks annually. In 1894 an appropriation of \$10,000.00 was available, and April of this year marks the real organization of the State Normal. At the opening in April, there were 23 students, 15 of them being from Clarke county and the city of Athens. In 1895 there were 175 names enrolled. During this year (1902) 691 have entered the institution to better prepare themselves for the profession of teaching. A large number of these have returned to their homes and are to-day paying the State a thousandfold on the investment made in them. There are now in actual attendance 452 students, coming from 110 different Georgia counties, and it is painful to report that 211 have been turned away because there is not room for them in the buildings. If those who were turned away could have been accommodated, no doubt every county in Georgia would now have students in the State Normal School. Of the 452 in attendance, 147 are graduates of other institutions. This speaks well for the educational spirit in Georgia, for it matters not how highly one may be educated, the principles of pedagogy and normal training are needed to make the modern teacher. There are in the faculty of the Normal 18 members, 6 males and 12 females.

Your committee was impressed with the spirit of earnestness and devotion that possesses the student body and faculty; they are there for business and they are in earnest, but their zeal is greatly hampered by the lack of room—room everywhere. The dormitories are so badly crowded that the students can not possibly do the best work. Every room is filled to its utmost capacity, many having five or six students in them. Some of the ladies are forced to keep their trunks in the halls for the lack of space in the rooms. Not only are the bed chambers uncomfortably filled, but all

the little corners of the halls are curtained off and used for rooms. In one end of a narrow hall there is a space curtained off 5x10 feet, which a young lady is to-day occupying. She is sick in bed with cold, and President Branson almost censures himself for allowing her to occupy it, but it was either this or go home, and under her pleadings to stay, he could not turn her off.

The dining room is not more than half large enough. Two tables have to be set for every meal. This is equivalent to the trouble of six meals daily, a great waste of time and a source of much annoyance.

In the judgment of your committee no institution in Georgia is so nearly in touch with the great mass of common people in our State as is the State Normal School. From her benign folds and tutorships are now going annually hundreds of young men and women to the remote corners of our rural districts, better equipped for teaching. They carry with them better thoughts, new ideas, and approved methods, thus giving our rural schools an insight to the glories of "THE NEW EDUCATION."

The school is doing a great work, and its efforts are directed largely towards the betterment of a class of schools that have never been reached by public endeavor.

We earnestly commend this institution to the people of our State, and we beg their representatives to meet, by necessary appropriation, its every need.

Respectfully submitted.

EDWARD H. McMICHAEL, Chairman.

W. G. PARK,

ALEX. ATKINSON.

REPORT OF COMMITTEE ON DEAF AND DUMB  
ASYLUM.

*Mr. President:*

The committee appointed to examine into the affairs of the Georgia School for the Deaf, beg to make the following report:

We find 187 pupils being cared for in the institution, of whom 147 are white and 40 colored; and we are informed by the principal that many others have applied for admission which can not be allowed on account of the fact that the institution is already crowded to its utmost capacity. We find the institution, so far as the management is concerned, in all its departments and appointments, in first-class condition, and being operated with marvelous system and upon a most economical basis. The pupils are well fed and clothed; are in good health and seem contented and happy. They are being instructed in the elementary branches of an English education, and also, to some extent, in horticulture and certain of the mechanical arts, and the progress they are making is extremely satisfactory and gratifying. One especially notable feature of the instruction being given is that of "articulation and lip-reading," which is being taught to many of the pupils with marked success.

The moral and religious tone of the institution is of the highest type and is both elevating and inspiring.

The sanitary condition of the institution is as good as is possible under existing circumstances. It is, however, a matter of grave concern whether or not the health of the inmates can be preserved under the present crowded condition. The dormitories are totally inadequate for the accommodation of inmates. In some instances, in the department for the whites, ten persons sleep in rooms not larger

than 16x16 feet, and in the colored department 20 persons sleep in a room not larger than 20x30 feet.

This condition of affairs not only renders it impossible for this institution to widen the scope of its usefulness by caring for others that are seeking for admittance, but it imperils the health and well-being of the children already therein.

We find that a more commodious kitchen and dining-room, and additional dormitories, with better equipments and ventilation, are sorely needed, and unless these additions are made this institution will remain as at present, handicapped and circumscribed in the great work it is doing in behalf of the unfortunate children of Georgia.

Respectfully submitted.

JNO. D. TAYLOR, Chairman.

The following resolutions were read second time:

By Mr. Reid—

A resolution to authorize the Governor to borrow money to supply a deficiency.

By Mr. Houston—

A resolution to make appropriation to meet the deficiency in the public printing fund for 1902.

By Mr. Calvin—

A resolution to authorize the treasurer to pay the administrator on the estate of Hon. Senator Sullivan the amount that would have been due him at the end of the session.

By Mr. Slaton—

A resolution to pay pension to Mrs. R. W. Laird amount due her husband.

By Mr. Mayson—

A resolution to appropriate \$50.00 to Mrs. E. W. Stewart, of DeKalb county, amount of pension due her husband.

By Mr. Underwood—

A resolution to pay Mary S. Jarrard a pension due her husband.

By Mr. Dunbar—

A resolution directing the payment of pension to Mrs. Abbie Renew the amount due her husband.

By Mr. Davis—

A resolution to pay J. F. DeLacy, Solicitor-General, salary due for the quarter ending December 31, 1901.

By Mr. Preston—

A resolution to pay pension of Mrs. M. L. Hattaway.

By Mr. Calvin—

A resolution looking to the improvement of the acoustics of the House of Representatives.

By Mr. Hall—

A resolution to pay the stenographer for the committee to consider the condition of the W & A. R. R.

By Mr. Field—

A bill to amend the Act incorporating the city of Cordele, in Dooly county.

By Messrs. Howard and Hicks—

A bill to incorporate the town of Dudley, in Laurens county.

By Messrs. Steed and Hixon—

A bill to establish a system of public schools in Bowdon, Carroll county.

By Mr. Moses—

A bill to incorporate the Young's Tanyard school district, in Coweta county.

By Mr. Newton—

A bill to amend the charter of the town of Doerun, in Colquitt county.

By Mr. Owen—

A bill to create the Zebulon school district, in Pike county.

By Mr. Jones—

A bill to incorporate the Marble Hill school district, in Pickens county.

By Mr. Alford—

A bill to amend the Act incorporating the town of Sylvester, in Worth county.

By Mr. George—

A bill to incorporate the town of Bostwick, in Morgan county.

By Mr. Reid—

A bill to pay off and retire the bonds of the State when they become due.

By Messrs. Steed and Hixon—

A bill to amend the Act incorporating the town of Bowdon, in Carroll county.

By Mr. O'Quinn—

A bill to amend the Act establishing a system of public schools in the town of Jesup.

By Mr. Crumbly—

A bill to prohibit the sale of intoxicating liquors in Stewart county.

By Mr. Maples—

A bill for the protection of fish in the streams of Mitchell county.

By Mr. Shackelford—

A bill to amend the Act establishing a dispensary in Athens.

By Mr. Hardeman—

A bill to incorporate the city of Russell, in Jackson county.

The following House bills were read third time and put upon their passage:

By Mr. Pate—

A bill to amend the Act incorporating the town of Trip, in Gwinnett county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Cann—

A bill to amend and consolidate the several Acts incorporating Warsaw.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Alford—

A bill to amend the Act establishing public schools in Ashburn.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Glenn—

A bill to amend the charter of the city of Dalton.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Butts—

A bill to establish the city court of Brunswick.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Buchannon—

A bill to amend the Act incorporating the city of Blakely.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Blackburn—

A bill to amend the Act providing for a new charter for the town of East Point.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Evans—

A bill to amend the Act incorporating the town of Harrison, in Washington county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Hardeman and Holder—

A bill to amend the Act creating the board of county commissioners of Jackson county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Morris and McLain—

A bill to amend the charter of Austell, in Cobb county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Newton—

A bill to amend the Act establishing a system of public schools for the town of Doerun, in Colquitt county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Evans—

A bill to amend the Act incorporating Deepstep, in Washington county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Overstreet—

A bill to establish a system of public schools for the town of Sylvania.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Cromartie—

A bill to amend the Act incorporating the town of Hazellhurst.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Newton—

A bill to amend the Act establishing the city court of Moultrie.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 31, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Evans—

A bill to amend the Act creating the city court of Sandersville.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Stovall—

A bill to cede to the United States certain lands in the city of Savannah.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Fields—

A bill to amend the Act incorporating the city of Cordale, in Dooly county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Owen—

A bill to incorporate the Meansville school district, in Pike county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Hardeman and Holder—

A bill to provide for the adding of the city of Winder to the list of State depositories.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. George—

A resolution to increase the salary of mayor of Madison.

Report of the committee was agreed to.

Upon the passage of the resolution the ayes were 27, nays 0.

The resolution having received the requisite constitutional majority was passed.

By Mr. Howard—

A resolution providing for the improvement of the grounds around the Georgia Normal School at Milledgeville.

Report of the committee was agreed to.

Upon the passage of the resolution the ayes were 26, nays 0.

The resolution having received the requisite constitutional majority was passed.

The following resolution was read first time:

By Mr. McLain—

A resolution for the relief of the W. & A. R. R. Company.

Referred to the Committee on W. & A. R. R.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA,

Thursday, December 11, 1902.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

On motion, the roll-call was dispensed with.

The Journal of yesterday was read and approved.

Mr. Park, chairman of the Committee on W & A. R. R., submitted the following report:

*Mr. President:*

The Committee on W & A. R. R. have had under consideration the following bill of the House, which it instructs me to report back with the recommendation that the same do pass:

A bill to repeal the Act creating the office of special attorney for W & A. R. R.

The committee also recommends that the following House resolution do pass:

A resolution for the relief of the W & A. R. R.

Respectfully submitted.

W G. PARK, Chairman.

Mr. Jordan, chairman of Committee on Agriculture, submits the following report:

*Mr. President:*

The Committee on Agriculture has had under consider-

ation the following bill of the House, which it requests me to report back with recommendation that same do pass:

A bill to be entitled an Act to regulate the sale of all syrups and adulterations thereof within the State of Georgia, and for other purposes.

Respectfully submitted.

C. H. JORDAN, Chairman.

The following message was received from his Excellency, the Governor, through his Secretary, Mr. Irvin, to wit:

*Mr. President:*

I am directed by his Excellency, the Governor, to deliver to the Senate a communication in writing.

*To the Senate:*

I respectfully return to the Senate, without my approval, Senate bill No. 29, to change the time of the meeting of the General Assembly from the fourth Wednesday in October to the fourth Wednesday in June.

Should this bill become a law the next session of the General Assembly would convene on the fourth Wednesday in June, 1903, and the session thereafter on the fourth Wednesday in June, 1904. The first session of the succeeding General Assembly would convene on the fourth Wednesday in June, 1905. The Constitution requires the General Assembly to canvass the returns of the election for Governor and State house officers at the first session after their election. The successors of the present incumbents will be elected on the first Wednesday in October, 1904, but under the change contemplated by the provisions of this bill the returns for this election could not be canvassed and the result declared until the fourth

Wednesday in June, 1905, thereby adding eight months to the terms of the present Governor and State house officers. While it may be that this bill is not contrary to the letter of the Constitution, I can but feel that the extension of the present terms of these officers for a period so long as eight months is violative of its spirit.

The change will necessarily disorganize the existing fiscal conditions of the State, as will appear from the correspondence between the Treasurer and myself, a copy of which is hereto attached, and in this connection I beg to call your attention to the provisions of subsection 8 of section 199 of volume 1 of the Code, relating to the duty of the Treasurer, and which is as follows:

"He shall pay all funds pledged to the payment of the public debt, or interest thereon, or to any object of education, and to these objects only, and in nowise to any other purpose. All payments from the treasury shall be paid from the fund appropriated for such purpose, and not from any other."

This provision of the Code, and the facts stated in the Treasurer's letter, make manifest grave financial difficulties in the way of such a change.

For these reasons I return the bill without my approval.

J. M. TERRELL, Governor.

Copy of correspondence between the Governor and Treasurer, above referred to.

STATE OF GEORGIA, EXECUTIVE OFFICE,

Atlanta, December 10, 1902.

*Hon. Robert E. Park, State Treasurer, Atlanta, Ga.*

DEAR SIR:—I have before me for consideration Senate bill No. 29, which proposes to change the time of the meet-

ing of the General Assembly from the fourth Wednesday in October to the fourth Wednesday in June of each year. If this bill becomes a law the next session of the General Assembly will convene on the fourth Wednesday in June, 1903, and in view of the fact that in levying the taxes for 1902 the expenses of only one session of the General Assembly were contemplated, I desire to ascertain from you whether the condition of the treasury during the months of June, July and August of next year will authorize the payment of the expenses of a session of the General Assembly held at that time.

Very truly yours,

J. M. TERRELL, Governor.

STATE OF GEORGIA, TREASURY DEPARTMENT.

Atlanta, December 10, 1902.

*Hon. J. M. Terrell, Governor, Atlanta, Ga.*

DEAR SIR:—Yours of this date, stating that you desire to ascertain from me whether the condition of the treasury during the months of June, July and August of next year, would authorize the payment of the expenses of a session of the General Assembly held at that time, is just at hand, and I hasten to say in reply that while the probabilities are that we will have the funds to meet the expenses, that they have been already appropriated for other purposes, and if used it must be at the expense of these appropriations.

Yours very truly,

R. E. PARK, Treasurer of Georgia.

Mr. Hopkins moved to pass the bill changing the time for the meeting of the General Assembly from the fourth Wednesday in October to the fourth Wednesday in June

over the Governor's veto. The ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen,	Hightower,	Roberts,
Atkinson,	Hopkins,	Skelton,
Christie,	Hudson,	Smith,
Clark,	Jordan,	Snead,
Clements,	Mathews,	Stevens,
Comas,	McClure,	Sweat,
Crumbley,	McLean,	Symons,
Dodd,	McMichael,	Tisinger,
Davis,	Merritt,	Turner,
Duncan of 10th,	Middlebrooks,	Van Buren,
Duncan of 36th,	Moore,	Worsham,
Golden,	Perry,	Mr. President.
Harrell,	Reid,	

Those voting in the negative were Messrs.—

Lee,	Ledford,	Park,
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Those not voting were Messrs.—

Lewis,	Rountree,	Taylor,
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Ayes 38, nays 3.

The bill passed over the veto of the Governor, and ordered immediately transmitted to the House.

Mr. Hopkins, chairman of the Committee on Appropriations, submitted the following report:

*Mr. President:*

Your Committee has had under consideration the following House resolutions, which they instruct me to report back with a recommendation that they do pass, to wit:

A resolution to pay Mrs. Abbie Renew a pension of sixty dollars due John P. Renew at time of his death.

A resolution authorizing the Governor to borrow money to supply casual deficiencies.

A resolution authorizing the treasurer to pay to the administrator of the late Patrick J. Sullivan, Senator from the 18th district, the amount that would have been due him to the close of the present session of the General Assembly.

A resolution to make appropriation to meet the deficiency in the public printing fund for 1902.

A resolution to pay stenographer of committee to consider that portion of the Governor's message relating to depot of W. & A. R. R.

A resolution to pay J. F. DeLacy, Solicitor-General, his salary for the quarter ending December 31, 1901.

Your committee has had under consideration the following resolution, which I am instructed to report back with the recommendation that same do not pass:

A resolution looking to the improvement of the acoustic properties of the Hall of the House of Representatives.

Respectfully submitted,

H. W. HOPKINS, Chairman.

Mr. Symons, chairman of the Committee on Enrollment, submitted the following report:

*Mr. President:*

The Committee on Enrollment report as duly enrolled, signed by the President of the Senate and Speaker of the House of Representatives and delivered to the Governor the following Act, to wit:

An Act to cede to the United States the jurisdiction of this State over certain lands in the counties of Walker, Dade and Catoosa, in this State, adjacent to or in the vicinity of Chicamauga National Park, and for other purposes.

Respectfully submitted,

W. F. SYMONS, Chairman.

Mr. Ledford, chairman of Committee on Education, submits the following report:

*Mr. President:*

The Committee on Education has had under consideration the following bill of the House, which it requests me to report back with the recommendation that same do pass:

A bill to be entitled an Act to incorporate the Hopeful school district, in Mitchell county, and for other purposes.

Respectfully submitted,

M. L. LEDFORD, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President.*

The House has passed, by the requisite constitutional majority, the following bills of the Senate, to wit:

A bill to repeal an Act authorizing appointment of an agent to look after property of State of Georgia in Tennessee and Georgia along W & A. R. R.

Also, a bill to provide for payment of costs and fees of special criminal bailiffs of superior and city courts.

Also, a bill to amend an Act reviving the office of State Geologist.

Also, a bill to provide for fixing boundaries of certain land adjacent to tidewater in this State.

The House has passed by the requisite constitutional majority the following Senate bill, as amended, to wit:

A bill to amend section 691 of the Code of 1895.

The House has concurred in the Senate amendment to the following House bills, to wit:

A bill to create a new charter for the town of Richland.

Also, a bill to create a new charter for the town of Lumpkin.

The House has passed, by the requisite constitutional majority, the following House bill:

A bill fixing the license fee for retailing intoxicating liquors in Brooks county at twelve thousand dollars.

The following House bill was read second time and re-committed to the Committee on Banks:

By Mr. Evans—

A bill to add the city of Sandersville to the list of State depositories.

The following House bill was read second time and re-committed to the Temperance Committee:

By Mr. Howard—

To establish a dispensary in Milledgeville.

The following special order was taken up:

By Mr. Reid—

A bill to provide for the payment of taxes on all special franchises in this State.

The following minority report was submitted:

We, the undersigned members of the Finance Committee of the Senate, respectfully dissent from the report of the Committee on House bill No. 272, known as the Candler franchise bill, made by a majority of the members of the committee present on December 9, 1902, and beg leave to submit the following report:

We do not believe in the passage of a measure imposing an unlimited tax upon franchises, especially when that measure lays down no rule for the satisfactory ascertainment of the value of the franchise to be taxed, furnishes no definition of the intangible object of taxation and provides no adequate machinery for its assessment.

The measure reported was referred to this committee on Friday, December 5, and in the limited time remaining this session it was impossible to give that consideration to the bill which its vast importance and far-reaching consequences required at the hands of the committee.

For a bill to be considered and reported upon a hearing so meager, introducing a radical departure in the tax system of this State, without the deliberation needed to correct its defects or to relieve the manifest injustice which its operation in its present shape will work is a course which we hesitate to approve.

While we favor a just and equitable taxation of franchises, we do not believe that a measure affecting by its express terms every chartered mercantile establishment, cotton factory, knitting mill, bank, newspaper, public utility, steamboat line, and every other manufacturing,

industrial or business corporation in this State should be so hastily enacted into a law. We believe that a franchise or privilege is in the nature of property, yet we do not think it is such property as ought to be taxed *ad valorem*, but ought to be taxed upon the equitable principle of its income or receipts, as we think, would be uniform and certain.

We therefore respectfully submit that this bill which inaugurates a new and radical departure in our tax laws and affects such vast and varied interests should be more deliberately considered and more carefully safeguarded.

Respectfully submitted.

J. RICE SMITH,

C. A. STEVENS,

T. G. HUDSON,

A. B. DUNCAN,

J. G. MOORE,

PAUL TURNER,

T. E. HIGHTOWER,

L. L. MIDDLEBROKS,

Members Finance Committee.

The following amendments were adopted:

#### AMENDMENTS TO HOUSE BILL No. 272.

DAVIS, Chairman.

Amend section 1:

1. By inserting after the word "privilege," in 5th line, the words "exercised within this State."

2. By inserting after the word "right," in 14th line, the words "exercised within this State."

3. By inserting after the word "otherwise, in 15th line,

the words "whether under the laws of this or any other State."

4. By striking out the words "all corporate privileges for," in 28th and 29th lines.

5. By inserting after the word "business," in the 30th line, the words, "or the operation of sleeping, palace, dining or chair cars."

6. By inserting after the word "operate," in the 31st line, the word "canals."

7. By inserting after the word "bridges," in the 32d line, the words "the right to carry on the business of maintaining equipment companies, navigation companies, freight or passenger depots."

8. By striking out the word "public," in 32d line, and inserting therefor the word "special."

9. By adding after the word "privileges," in 34th line, the words "not allowed by law to natural persons or involving the performance of any public service."

Amend section 2:

1. By striking out the word "and," in 4th line between the words "holding" and "owning," and inserting therefor the word "or."

2. By inserting after the word "owning," in 4th line, the words "and exercising."

3. By inserting after the word "franchise," in 5th line, the words "or franchises."

4. By changing the word "franchise," in 10th line, to

“franchises,” and inserting thereafter “as exercised within the State.”

5. By changing the words “franchise is,” in 15th line, to “franchises are.”

Amend Section 4:

1. By striking out the words “for the operation of,” in 3d line, and insert in lieu thereof the words “exercised beyond the limits of one municipality or county as in the case of.”

2. By striking out the words “of each of,” in 6th line, and inserting the words “over which.”

3. By changing the word “railroads,” in 7th line, to “railway.”

4. By striking out the word “lines,” in 7th line, and inserting therefor the words “franchise or other special franchises are exercised.”

5. By striking out at the end of said section the words “and the number of miles of waterway by each steamboat line in each county.”

Amend section 9:

By striking all of said section after the word “contained,” in 2d line, and inserting in lieu thereof “shall be held, taken or construed to exempt from taxation any franchise not enumerated in this Act.”

Mr. Hopkins moved that all debate on this bill be closed at 1 o'clock and a vote be taken at that time; on this motion the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen,	Harrell,	Perry,
Comas,	Hopkins,	Snead,
Crumbley,	Ledford,	Symons,
Dodd,	McClure,	Tisinger,
Davis,	McLean,	Turner,
Duncan of 36th,	Merritt,	Van Buren,
Golden,	Park,	

Those voting in the negative were Messrs.—

Atkinson,	Jordan,	Roberts,
Christie,	Lee,	Skelton,
Clark,	Mathews,	Smith,
Clements,	McMichael,	Stevens,
Duncan of 10th,	Middlebrooks,	Sweat,
Hightower,	Moore,	Taylor,
Hudson,	Reid,	Worsham,

Those not voting were Messrs.—

Lewis,	Rountree,	Mr. President,
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Ayes 20, nays 21.

The motion was lost.

Mr. Howell moved that the bill under consideration be recommitted to the Finance Committee with instructions to report back to the Senate at 3 o'clock and that when the Senate adjourn it adjourn to meet at 3 o'clock, which motion prevailed.

The following House bills were read second time:

By Messrs. Howard and Hicks—

A bill to create the city court of Dublin, in Laurens county.

By Mr. Akin—

A bill to repeal the Act creating the office of special attorney for the W & A. R. R.

By Mr. Hixon—

A bill to amend section 45 of the charter of **Americus**.

By Mr. Knight—

A bill to establish the city court of Tifton.

By Mr. Wooten—

A bill to incorporate the city of Vidalia, in Montgomery county.

By Mr. Singletary—

A bill incorporating the Hopeful school district, in Mitchell county.

By Mr. Brinson—

A bill to regulate the sale of syrup in this State.

By Mr. Jones—

A bill authorizing the mayor and council of Jasper, Ga., to issue bonds.

By Messrs. Cann, Stovall and Hardin—

A bill to fix the time for the election of all officers in incorporated cities of this State with 50,000 inhabitants.

By Mr. Hayes—

A bill to amend the Act establishing system of public schools for Marshallville.

By Mr. Maples—

A bill to repeal the Act amending the charter of the town of Camilla.

Mr. Duncan, chairman of Committee on Temperance, submits the following report:

*Mr. President:*

The Committee on Temperance has had under consideration the following bill of the House, which it requests me to report back with the recommendation that same do pass:

A bill to be entitled an Act to amend the charter of the town of Camilla, in Mitchell county, and for other purposes.

The committee has also had under consideration the following bill of the House, which it requests me to report back with the recommendation that same do not pass:

A bill to be entitled an Act to establish a dispensary in the city of Hamilton, in Harris county, and for other purposes.

DUNCAN 36th, Chairman.

Mr. Hudson, chairman of Committee on Pensions, submits the following report:

*Mr. President:*

The Committee on Pensions has had under consideration the following resolutions of the House, which it requests me to report back with the recommendation that same do pass:

A resolution appropriating fifty dollars to Mrs. E. W.

Stewart, of DeKalb county, for pension due her husband at his death.

A resolution to pay Mary S. Jarrad a pension due her husband at the time of his death.

A resolution to pay Mrs. R. W. Laird pension, and for other purposes.

A resolution to pay the pension of Mrs. Martha L. Hat-taway.

Respectfully submitted.

T. G. HUDSON, Chairman.

The following House resolution was read second time:

By Mr. McLain—

A resolution for the relief of the W & A. R. R.

The following Senate bill was read second time:

By Mr. Golden—

A bill to prohibit the sale of cotton futures in this State.

The following Senate bill was read first time:

By Mr. Duncan—

A bill to fix the age of consent in this State.

Referred to the General Judiciary Committee.

On motion, the Senate adjourned until 3 o'clock this afternoon.

The Senate met pursuant to adjournment at 3 o'clock; was called to order by the President.

On motion, the roll-call was dispensed with.

The following House bill was read second time:

By Mr. Conner—

A bill to protect fish in the streams of Bartow county.

The following House bills were read third time to be put upon their passage:

By Mr. Moses—

A bill to incorporate the Young's Tanyard school district, in Coweta county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Howard and Hicks—

A bill to incorporate the town of Dudley, in Laurens county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Shackelford—

A bill to amend the Act establishing a dispensary in Athens.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Mulherin—

A bill to amend the charter of the city of Augusta.

This bill was read second time:

By Mr. George—

A bill to incorporate the town of Bostwick.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Crumbly—

A bill to prohibit the sale of spirituous liquors in Stewart county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Newton—

A bill to amend the charter of the town of Doerun, in Colquitt county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Fields—

A bill to amend the Act incorporating the city of Cordele.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Jones—

A bill to incorporate the Marble Hill school district, in Pickens county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Alford—

A bill to amend the Act incorporating the town of Sylvester, in Worth county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Steed and Hixon—

A bill to amend the Act incorporating the town of Bowdon.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Owen—

A bill to incorporate the Zebulon school district, in Pike county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Mitcham—

A bill for the protection of fish in the streams of Clayton county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. O'Quinn—

A bill to establish a system of public schools in the town of Jesup.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Steed and Hixon—

A bill to establish a system of public schools in the town of Bowdon, Carroll county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

The following House bill was read second time:

By Mr. Hardeman—

A bill to incorporate the city of Russell, in Jackson.

The following resolution was read and adopted:

By Mr. Snead—

A resolution to appoint a committee of two from the Senate and three from the House to consider the pension laws.

Committee on part of Senate are Senators Snead and Harrell.

The following resolution was read and adopted:

By Mr. Middlebrooks—

A resolution extending the sympathy of the Senate to Senators Rountree and Lewis.

The following House bill was read second time:

By Messrs. Slaton, Houston and Blackburn—

A bill to amend the charter of the town of Oakland.

By Mr. McCurry—

A bill to amend the Act creating the board of county commissioners for Hart county.

Mr. Duncan, chairman of Committee on Temperance, submits the following report:

*Mr. President:*

The Committee on Temperance has had under consideration the following bill of the House, which it requests me to report back with recommendation that same do pass:

A bill to be entitled an Act to provide for the establish-

ment and maintenance of a dispensary in the city of Milledgeville, Baldwin county, and for other purposes.

Respectfully submitted.

DUNCAN 36th, Chairman.

Mr. Duncan, chairman of the Committee on Engrossing, submitted the following report:

*Mr. President:*

The Committee on Engrossing has examined the following resolution, which it finds correctly engrossed and ready for transmission to the House:

A resolution to appoint a committee to examine the present pension laws and report to the next General Assembly.

Respectfully submitted.

A. B. DUNCAN, Chairman.

The following House bill was read second time:

By Mr. Shackelford—

A bill to cede to the United States certain lands in the city of Athens.

The following House bill was again taken up, which is:

By Mr. Reid—

A bill to provide for and require the payment of taxes on all special franchises.

On motion, debate will be limited to 5 minutes, and the bill will go to a vote in one hour.

The following amendments were offered:

On the adoption of the first amendment offered by Sen-

ator Skelton, the ayes and nays were ordered and the vote was as follows :

Those voting in the affirmative were Messrs.—

Atkinson,	Middlebrooks,	Skelton,
Clark,	Moore,	Smith,
Hudson,	Reid,	Turner,
Lee,		

Those voting in the negative were Messrs.—

Allen,	Hightower,	Park,
Christie,	Hopkins,	Roberts,
Cemas,	Jordan,	Snead,
Crumbley,	Ledford,	Stevens,
Dodd,	Mathews,	Sweat,
Davis,	McClure,	Symons,
Duncan of 10th,	McLean,	Taylor,
Duncan of 36th,	McMichael,	Van Buren,
Golden,	Merritt,	Worsham,
Harrell,		

Those not voting were Messrs.—

Clements,	Perry,	Tisinger,
Lewis,	Rountree,	Mr. President.

Ayes 10, nays 28.

The substitute was lost.

Mr. Smith moved to disagree to the report of the committee, and upon this motion the ayes and nays were ordered and the vote was as follows :

Those voting in the affirmative were Messrs.—

Clark,	Reid,	Turner,
Hudson,	Smith,	Van Buren,

Those voting in the negative were Messrs.—

Allen,	Harrell,	Middlebrooks,
Atkinson,	Hightower,	Moore,
Christie,	Hopkins,	Park,
Clements,	Jordan,	Perry,
Comas,	Lee,	Skelton,
Crumbley,	Ledford,	Snead,
Dodd,	Mathews,	Stevens,
Davis,	McClure,	Sweat,
Duncan of 10th,	McLean,	Symons,
Duncan of 36th,	McMichael,	Taylor,
Golden,	Merritt,	Worsham,

Those not voting were Messrs.—

Lewis,	Rountree,	Mr. President,
Roberts,	Tisinger,	

Ayes 6, nays 33.

The motion was lost.

Upon the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen,	Hightower,	Moore,
Atkinson,	Hopkins,	Park,
Christie,	Hudson,	Perry,
Clark,	Jordan,	Roberts,
Clements,	Lee,	Skelton,
Comas,	Ledford,	Snead,
Crumbley,	Mathews,	Stevens,
Davis,	McClure,	Sweat,
Duncan of 10th,	McLean,	Symons,
Duncan of 36th,	McMichael,	Van Buren,
Golden,	Merritt,	Worsham,
Harrell,	Middlebrooks,	Mr. President.

Those voting in the negative were Messrs.—

Smith,	Turner,
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Those not voting were Messrs.—

Dodd,  
Lewis.

Reid,  
Rountree,

Taylor,  
Tisinger,

Ayes 36, nays 2.

The bill having received the requisite constitutional majority was passed as amended, and the amendments are as follows:

Amend section 1 by adding to said section as amended by the committee the words “not including the mere right to be a corporation by trading or manufacturing, or other corporation exercising no special franchise above enumerated.”

Amend section 3 by adding “and said franchises shall be taxed at the same rate as other property, upon the value thereof as returned, or if the value returned is not accepted upon the value as above ascertained, the said tax to be levied and collected as now provided in case of the property of railroad companies.”

Amend section 5 by striking out the same and substituting the following as section 5: “Be it further enacted by the authority aforesaid, That the valuation for taxation of such franchises in each county and municipality, in or through which said franchise is exercised, shall be apportioned to each county and municipality as is now provided by law for the apportionment of the personal property of railroad companies.”

Amend section 6 by striking the same and substituting as section 6 the following: “Be it further enacted, That the Comptroller-General shall certify to every such municipal corporation and the taxing authorities of every such county,

the name of every special franchise, taxable within such municipality or county, and the amount of taxes due on the same to such municipal corporation or county as now provided by law in the case of railroads.

Amend section 7 by striking out the same and substituting therefor as section 7 the following: "Be it further enacted, That the taxes due to each municipality or county on such franchise shall be collected and enforced as now provided by law in the case of other taxes due the same by railroad companies."

Amend section 9 further by adding to the amendment already made by the committee the words "but all franchises of value not provided for in this Act shall be returned for taxation and taxed as other property under the present law.

Amend caption by striking out the words "all special."

Amend by adding the following section:

Section 10. Be it further enacted by the authority aforesaid, That if, when the tax, or any part of the tax, assessed on, or on account of, any franchise as defined in this Act is due and payable to, or for the use of any county, city, town or village in which the tangible property, or any part of the tangible property is located, it shall appear that the person, partnership, association or corporation affected has paid, or is liable to pay, to such county, city, town or village for its exclusive use within the year for which such franchise tax is assessed under any agreement therefor, or under any statute, ordinance, resolution, or by law, requiring the same, any sum based upon a percentage of gross receipts, or any other income, or any occupation or privi-

lege tax or charge, or any sum of money on account of, was consideration for, such franchise or privilege granted to or possessed by such person, partnership, association incorporation, all amounts so paid, or liable to be paid, for the exclusive use of such county, city, town or village, except the money paid for the *ad valorem* taxes due such county, city, town or village, on account of the tangible or physical property located therein, shall be deducted from the portion of the tax due such county, city, town or village on account of the franchise owned or possessed by such person, partnership or corporation.

Mr. VanBuren, chairman Committee on State Sanitarium, submits the following report:

*Mr. President:*

The joint committee appointed to visit this institution have, on the part of the Senate and the House, performed this duty, and we find, after a careful inspection of all the departments connected with the care and management of this most worthy State institution, that it is most faithfully and economically administered. The welfare of the patients are closely looked after and the institution is run in a manner which is an honor to the State, and reflects great credit upon those connected therewith.

The sub-committee appointed to investigate the books and finances of the Sanitarium, in their report say: "The wonderful exhibit made in the management of its financial affairs is such as to be a subject almost of amazement. When we consider the character of the inmates, a large majority of whom are more helpless than little babes, when first ushered into the world, and the unceasing and intelligent care which their condition demands, the per capita cost of maintaining them demonstrates the extraordinary

efficiency of its officers. We made such an examination of the books and accounts as we deemed necessary and the limited time at our disposal warranted.

The systematic method in which all accounts are kept is as near perfection as could be desired, and the care exercised in the making of all purchases is such as to elicit our unqualified approval and commendation.

Competitive bids are received for all supplies, and it is strictly required that samples shall, in every instance, accompany the bids. Contracts are awarded to the lowest and best bidders in every instance, and the greatest care is exercised to see that the articles not only come up fully to samples, but that the weights and measurements are absolutely correct. In common with the citizens of our State we feel a just pride in this noble institution, and no encomiums which we could bestow upon the board of trustees and the efficient corps of officers and employees, could express in fitting terms the tribute which their labors deserve."

Your committee further recommend that in view of the large number of patients now awaiting admission, that no spirit of parsimonious economy should actuate the General Assembly in making suitable provisions for these most unfortunate people.

Respectfully submitted.

J. R. VAN BUREN, Chairman.

The following House bills were read second time:

By Mr. McCurry—

A bill for the construction of a dam across the Savannah river.

By Mr. Houston—

A bill to increase the authority of the recorder's court in this State.

By Mr. George—

A bill to provide for the removal of obstructions from the streams of Morgan county.

The Senate recedes from its amendment to House bill No. 248, which is a bill to create a board of county commissioners for Rockdale county.

The following House bill was taken up with adverse report from the committee and read second time :

By Mr. Stanford—

A bill to establish a dispensary in Hamilton, Harris county.

Mr. Christie moved to disagree to the report of the committee, and on this motion the ayes and nays were ordered and the vote was as follows :

Those voting in the affirmative were Messrs.—

Christie,	Lee,	Skelton,
Clark,	McClure,	Stevens,
Crumbley,	Merritt,	Sweat,
Golden,	Middlebrooks,	Symons,
Harrell,	Moore,	Taylor,
Hightower,	Park,	Turner,
Hudson,	Reid,	Worsham,
Jordan,	Roberts,	

Those voting in the negative were Messrs.—

Atkinson,	Hopkins,	Perry,
Clements,	Ledford,	Smith,
Comas,	Mathews,	Snead,
Duncan of 36th,	McLean,	Van Buren,
Davis,	McMichael,	

Those not voting were Messrs.—

Allen,	Lewis,	Tisinger,
Dodd,	Rountree,	Mr. President,
Duncan of 10th,	Smith,	

Ayes 23, nays 14.

The motion was carried.

Mr. Davis, Chairman of the Committee on Finance, submits the following report:

*Mr. President:*

The Committee on Finance has had under consideration the following bill of the House, which it instructs me to report back with the recommendation that it do pass as amended:

A bill to levy and collect a tax for the support of the State government and the public institutions, and for other purposes.

Respectfully submitted.

WM. H. DAVIS, Chairman.

Mr. Tisinger, chairman Committee on Special Judiciary, submits the following report:

*Mr. President:*

The Committee on Special Judiciary has had under consideration the following bill of the House, which it instructs me to report back with the recommendation that it do pass:

A bill to be entitled an Act for the construction of a dam or dams across the Savannah river for the purposes of

manufacturing, trade or commercial purposes, and for other purposes.

Respectfully submitted.

SKELTON, Acting Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has concurred in the following Senate amendments to the Appropriation Bill:

Amendments Nos. 1, 7, 10, 12, 14.

The House amends the Senate amendment No. 3.

The House refuses to concur in the following Senate amendments:

Nos. 2, 4, 5, 6, 8, 9, 11, 13, 15, 16, 17, 18, 19.

The House has passed by the requisite constitutional majority the following Senate bill:

A bill to establish a system of public schools in Fort Gaines.

The following House bill was read third time and put upon its passage:

By Mr. Reid—

A bill to levy and collect a tax for the support of the State government.

The following amendments were adopted:

Amend section 1 by striking out all of paragraph A.

Amend section 2 by striking out the four last lines of the section containing the proviso; also paragraph 14, by striking out "\$500.00" and inserting "\$250.00;" also by striking out "\$200.00" and inserting therefore "\$100.00;" also by striking "\$150.00" and inserting "\$75.00;" also by striking "\$100.00" and inserting "\$50.00."

Amend section 2 paragraph 16, by striking therefrom "\$300.00" and inserting "\$200.00." Amend section 2, paragraph 16, by inserting after the word "sold," in 2d line of 10th page, the words "upon each steamboat in which spirituous or malt liquors are sold within this State and upon each social or fraternal club in which spirituous liquors are sold or dispensed, \$200.00;" and upon each buffet or dining or palace-car upon which spirituous liquors are sold, \$10.00; provide that the payment of such tax shall not be held to authorize the sale of such liquors in any county or municipality in which such sale is prohibited by law."

Amend section 2, paragraph 18, by striking out "1, 500.00," and inserting therefor "\$1,000.00."

Amend section 2, paragraph 23, by striking out all that part of said paragraph which taxes coca-cola, and the like.

Amend section 2, paragraph 29, by striking "\$50.00," and inserting "\$25.00" therefore; also strike "\$25.00," and inserting "\$15.00" therefore.

Amend section 2, paragraph 30, by striking "\$50.00," and inserting "\$100.00."

Amend by adding to section 10, "that nothing in this section shall be construed to tax local manufacturers of automobiles."

Amend section 11 further by striking "\$25.00," as tax on typewriters, typewriting material, agents of cash registers, calculating weighing scales, and insert therefor "\$10.00."

Amend by striking out all of section 18.

Amend section 9 by inserting after the word "section," in the 14th line, the words "together with all taxes on the franchises of said person or corporation," and after the word "county," in the 20th line, "including all taxes on franchises."

Report of the committee, as amended, was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

The following House resolutions were read third time and put upon their passage:

By Mr. Davis—

A resolution to pay J. F. DeLacy \$62.50, amount due him.

Report of the committee was agreed to.

Upon the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Atkinson,  
Christie,  
Clements,

Comas,  
Crumbley,  
Davis,

Duncan of 36th,  
Golden,  
Harrell,

Hightower,	McLean,	Snead,
Hopkins,	McMichael,	Stevens,
Hudson,	Merritt,	Sweat,
Jordan,	Middlebrooks,	Symons,
Lee,	Moore,	Turner,
Ledford,	Perry,	Van Buren,
Mathews,	Reid,	Worsham,
McClure,		

Those not voting were Messrs.—

Allen,	Park,	Smith,
Clark,	Roberts,	Taylor,
Dodd,	Rountree,	Tisinger,
Duncan of 10th,	Skelton,	Mr. President.
Lewis,		

Ayes 31, nays 0.

The resolution having received the requisite constitutional majority was passed.

By Mr. Underwood—

A resolution to pay to Mrs. Mary S. Jarrard pension due her husband.

Report of the committee was agreed to.

Upon the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen,	Golden,	Ledford,
Atkinson,	Harrell,	Mathews,
Christie,	Hightower,	McClure,
Comas,	Hopkins,	McLean,
Crumbley,	Hudson,	McMichael,
Davis,	Jordan,	Merritt,
Duncan of 36th,	Lee,	Middlebrooks,

Moore,	Snead,	Taylor,
Perry,	Stevens,	Turner,
Reid,	Sweat,	Van Buren,
Smith,	Symons,	Worsham,

Those not voting were Messrs.—

Clark,	Lewis,	Skelton,
Clements,	Park,	Tisinger,
Dodd,	Roberts,	Mr. President.
Duncan of 10th,	Rountree,	

Ayes 32, nays 0.

The resolution having received the requisite constitutional majority was passed.

By Mr. Mayson—

A resolution appropriating \$50.00 to Mrs. E. W Stewart, of DeKalb county, pension due her husband.

Report of the committee was agreed to.

Upon the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen,	Hudson,	Moore,
Atkinson,	Jordan,	Perry,
Christie,	Lee,	Reid,
Clark,	Ledford,	Smith,
Comas,	Mathews,	Snead,
Crumbley,	McClure,	Stevens,
Davis,	McLean,	Symons,
Duncan of 36th,	McMichael,	Van Buren,
Harrell,	Middlebrooks,	Worsham,
Hopkins,		

Those not voting were Messrs.—

Clements,	Merritt,	Sweat,
Dodd,	Park,	Taylor,
Duncan of 10th,	Roberts,	Tisinger,
Golden,	Rountree,	Turner,
Hightower,	Skelton,	Mr. President,
Lewis,		

Ayes 28, nays 0.

The resolution having received the requisite constitutional majority was passed. ,

By Mr. Preston—

A resolution to pay pension of Mrs. Martha L. Hathaway.

Report of the committee was agreed to.

Upon the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen,	Hudson,	Moore,
Atkinson,	Jordan,	Park,
Christie,	Lee,	Smith,
Clark,	Ledford,	Snead,
Comas,	Mathews,	Stevens,
Crumbley,	McClure,	Sweat,
Davis,	McLean,	Symons,
Duncan of 36th,	McMichael,	Taylor,
Golden,	Merritt,	Van Buren,
Harrell,	Middlebrooks,	Worsham,
Hopkins,		

Those not voting were Messrs.—

Clements,	Dodd,	Duncan of 10th,
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Hightower,	Roberts,	Tisinger,
Lewis,	Rountree,	Turner,
Perry,	Skelton,	Mr. President,
Reid,		

Ayes 31, nays 0.

The resolution having received the requisite constitutional majority was passed. ,

By Mr. Reid—

A resolution authorizing the Governor to borrow \$200,000, if necessary.

Report of the committee was agreed to.

Upon the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen,	Hopkins,	Middlebrooks,
Atkinson,	Hudson,	Moore,
Christie,	Jordan,	Park,
Clark,	Lee,	Smith,
Clements,	Ledford,	Stevens,
Comas,	Mathews,	Sweat,
Crumbley,	McClure,	Symons,
Davis,	McLean,	Taylor,
Duncan of 36th,	McMichael,	Van Buren,
Golden,	Merritt,	Worsham,
Harrell,		

Those voting in the negative were Messrs.—

Perry,

Those not voting were Messrs.—

Dodd,	Hightower,	Reid,
Duncan of 10th,	Lewis,	Roberts,

Rountree,  
Skelton,

Snead,  
Tisinger,

Turner,  
Mr. President.

Ayes 31, nays 1.

The resolution having received the requisite constitutional majority was passed as amended, and the amendment is by striking the word "October."

By Mr. Hall—

A resolution to pay the stenographer for the committee to investigate the W & A. R. R.

On motion, this resolution was tabled.

By Mr. Houston—

A resolution to make appropriation to meet the deficiency in the printing fund for 1902.

Report of the committee was agreed to.

Upon the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen,  
Atkinson,  
Christie,  
Clark,  
Clements,  
Crumbley,  
Davis,  
Duncan of 36th,  
Golden,  
Harrell,  
Hopkins,

Jordan,  
Lee,  
Ledford,  
Mathews,  
McClure,  
McLean,  
McMichael,  
Merritt,  
Middlebrooks,  
Moore,  
Park,

Perry,  
Smith,  
Snead,  
Stevens,  
Sweat,  
Symons,  
Taylor,  
Turner,  
Van Buren,  
Worsham,

Those not voting were Messrs.—

Comas,	Hudson,	Rountree,
Dodd,	Lewis,	Skelton,
Duncan of 10th,	Reid,	Tisinger,
Hightower,	Roberts,	Mr. President.

Ayes 31, nays 0.

The resolution having received the requisite constitutional majority was passed.

By Mr. Calvin—

A resolution to pay the administrator on the estate of the late Senator P. J. Sullivan, the amount that would have been due him for this session.

Report of the committee was agreed to.

Upon the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen,	Jordan,	Park,
Atkinson,	Lee,	Perry,
Christie,	Ledford,	Reid,
Clements,	Mathews,	Smith,
Crumbley,	McClure,	Snead,
Davis,	McLean,	Stevens,
Duncan of 36th,	McMichael,	Sweat,
Golden,	Merritt,	Symons,
Harrell,	Middlebrooks,	Van Buren,
Hopkins,	Moore,	Worsham,

Those not voting were Messrs.—

Clark,	Hudson,	Taylor,
Comas,	Lewis,	Tisinger,
Dodd,	Roberts,	Turner,
Duncan of 10th,	Rountree,	Mr. President,
Hightower,	Skelton,	

Ayes 30, nays 0.

The resolution having received the requisite constitutional majority was passed.

By Mr. Dunbar—

A resolution directing the Governor to draw his warrant for \$60.00 in favor of Mrs. Abbie Renew, amount of pension due her husband.

Report of the committee was agreed to.

Upon the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen,	Hopkins,	Park,
Atkinson,	Hudson,	Skelton,
Christie,	Jordan,	Snead,
Clark,	Lee,	Sweat,
Clements,	McClure,	Symons,
Davis,	McMichael,	Taylor,
Duncan of 36th,	Merritt,	Van Buren,
Golden,	Middlebrooks,	Worsham,
Harrell,	Moore,	

Those not voting were Messrs.—

Comas,	Lewis,	Rountree,
Crumbley,	Mathews,	Smith,
Dodd,	McLean,	Stevens,
Duncan of 10th,	Perry,	Tisinger,
Hightower,	Reid,	Turner,
Ledford,	Roberts,	Mr. President,

Ayes 26, nays 0.

The resolution having received the requisite constitutional majority was passed.

By Mr. Slaton—

A resolution to pay Mrs. R. W. Laird pension due her.

Report of the committee was agreed to.

Upon the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen,	Hudson,	Reid,
Atkinson,	Jordan,	Skelton,
Christie,	Lee,	Snead,
Clark,	Mathews,	Stevens,
Clements,	McClure,	Sweat,
Crumbley,	McLean,	Symons,
Davis,	McMichael,	Taylor,
Duncan of 36th,	Merritt,	Turner,
Golden,	Middlebrooks,	Van Buren,
Harrell,	Moore,	Worsham,
Hopkins,		

Those not voting were Messrs.—

Comas,	Lewis,	Rountree,
Dodd,	Park,	Smith,
Duncan of 10th,	Perry,	Tisinger,
Hightower,	Roberts,	Mr. President.
Ledford,		

Ayes 31, nays 0.

The resolution having received the requisite constitutional majority was passed.

By Mr. Calvin—

A resolution looking to the improvement of the acoustics of the House of Representatives.

The report of the committee was adverse to the passage of the resolution.

This report was agreed to and the resolution was lost.

By Mr. Reid—

A resolution to pay off and retire the bonds of the State as they mature.

Report of the committee was agreed to.

Upon the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen,	Hopkins,	Moore,
Atkinson,	Hudson,	Reid,
Christie,	Jordan,	Smith,
Clark,	Lee,	Snead,
Clements,	Mathews,	Stevens,
Crumbley,	McClure,	Symons,
Davis,	McLean,	Taylor,
Duncan of 36th,	McMichael,	Van Buren,
Golden,	Middlebrooks,	Worsham,
Harrell,		

Those not voting were Messrs.—

Comas,	Merritt,	Sweat,
Dodd,	Park,	Skelton,
Duncan of 10th,	Perry,	Tisinger,
Hightower,	Roberts,	Turner,
Ledford,	Rountree,	Mr. President.
Lewis,		

Ayes 28, nays 0.

The resolution having received the requisite constitutional majority was passed.

The following House bill was taken up in which the House refuses to concur in Senate amendments:

By Mr. Davis—

A bill to appropriate money for the support of the State government for the years 1903 and 1904.

The Senate refuses to recede from any of its amendments; there is an explanation to amendment No. 17

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House refuses to concur in Senate amendment to following House resolution:

A resolution to appropriate \$15,000 for repairing Capitol building.

The House concurs in Senate amendment to following House bill:

A bill to establish city court of Jefferson.

The House refuses to concur in Senate amendment to following House bill:

A bill to create a board of commissioners for DeKalb county.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House refuses to reced from its non-concurrence in the several amendments to the Senate to the Appropriation Bill No. 159, and appoints as a Conference Committee Messrs. Davis, Hall, Reid.

The following House resolution was taken up in which the House refuses to concur in Senate amendments:

By Mr. Steed—

A resolution to appropriate \$15,000.00 to repair the Capitol building.

Mr. Howell moved that the Senate recede from its amendment, and this motion was carried.

The following is the committee appointed to confer with the House on Senate amendments to the Appropriation Bill: Senators Hopkins, Davis and Comas.

The following House bill was taken up with Senate amendments, in which the House refuses to concur:

By Messrs. Candler and Mayson—

A bill to create a board of county commissioners of DeKalb county.

Mr. Turner moved to insist on the amendment, and that a conference committee be appointed to confer with House committee.

The President appointed on this committee Senators Turner, Worsham and Merritt.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

## SENATE CHAMBER, ATLANTA, GEORGIA,

Friday, December 12, 1902.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon motion, the roll-call was dispensed with.

The Journal of yesterday was read and approved.

Mr. Perry, chairman of the General Judiciary Committee, submits the following report:

*Mr. President:*

The General Judiciary Committee has had under consideration the following bill of the House, which it instructs me to report back with the recommendation that it do pass:

A bill to cede to the United States of America jurisdiction over certain land in the city of Athens, Georgia.

Respectfully submitted.

H. H. PERRY, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has refused to concur in any of the Senate amendments to the following House bill:

A bill to require payment of taxes on all special franchises, and for other purposes.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following bills of the Senate, to wit:

A bill to change time of holding superior court in Northeastern Judicial Circuit.

Also, a bill to add Swainesboro, Georgia, to list of State depositories.

Also, a bill to amend the Act incorporating the town of Midville.

The House has passed by the requisite constitutional majority the following Senate bill, as amended, to wit:

A bill to incorporate Forsyth school district, in Monroe county.

The House has passed by the requisite constitutional majority the following Senate resolutions, to wit:

A resolution to erect upon the Capitol grounds a monument to the memory of the late Lieutenant Thomas M. Brumby.

Also, a resolution to reimburse this State in certain Indian war claims.

Mr. Christie, chairman of the Committee on Banks, submitted the following report:

*Mr. President:*

The Committee on Banks has had under consideration

the following House bill, which it instructs me to report with the recommendation that the same do pass:

A bill to amend section 982, volume 1 of the Code, so as to add Sandersville, Washington county, to the list of State depositories.

Respectfully submitted.

S. R. CHRISTIE, Chairman.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

*Mr. President:*

The Committee on Corporations has had under consideration the following bills of the House, which it requests me to report back with recommendation that same do pass:

A bill to be entitled an Act to incorporate the city of Vidalia, and for other purposes.

A bill to be entitled an Act to fix the time for the elections of all officers of incorporated cities, and for other purposes.

A bill to authorize the mayor and council of the town of Jasper, Georgia, to issue bonds, and for other purposes.

A bill to amend an Act to establish a system of public schools in Marshallville, Georgia, so as to provide for a president.

A bill to amend section 45 of the charter of the city of Americus, and for other purposes.

A bill to be entitled an Act to establish the city court of Tifton, in the city of Tifton, Berrien county, and for other purposes.

The committee has also had under consideration the following bill of the House as amended, which it requests me to report back with recommendation that same do pass:

A bill to be entitled an Act to incorporate the city of Russell, in the counties of Jackson and Walton, and for other purposes.

Respectfully submitted.

MIDDLEBROOKS, Chairman.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

*Mr. President:*

The Special Judiciary Committee has had under consideration the following Senate bill, which it instructs me to report with the recommendation that the same do pass:

A bill to amend Act approved December 21, 1899, providing for the holding of the several city courts in this State by the various city court judges thereof.

The committee has also had under consideration the following House bills, which it instructs me to report with the recommendation that they do pass:

A bill to amend the charter of the city of Augusta.

A bill to authorize construction of dams across the Savannah river for manufacturing, trade or commercial purposes.

A bill to amend Act creating a board of commissioners of roads and revenues in the county of Hart.

A bill to provide for the removal of obstructions, except dams, in Morgan county.

The committee has also had under consideration the following House bills, which it instructs me to report with the recommendation that they do not pass:

A bill to repeal an Act to create a board of commissioners of roads and revenues for the county of Walton.

A bill to amend the Act to establish a dispensary in Buena Vista, Marion county, Georgia.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

*Mr. President:*

The Committee on Corporations has had under consideration the following House bill, which it instructs me to report with the recommendation that the same do pass as amended:

A bill to amend the charter of the town of Oakland City.

Respectfully submitted.

MIDDLEBROOKS, Chairman.

Mr. Sweat, chairman pro tem. of the Special Judiciary Committee, submitted the following report:

*Mr. President:*

The Special Judiciary Committee has had under consideration the following House bill, which it instructs me to report with the recommendation that the same do not pass:

A bill to repeal an Act to establish the city court of Clarkesville.

Respectfully submitted.

F L. SWEAT, Chairman pro tem.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House refuses to concur in Senate amendment in following House bill:

A bill to create a board of commissioners of roads and revenues for DeKalb county, and appoints following Conference Committee: Messrs. Mason, Underwood, Booth.

The House has read the Governor's veto message on Senate bill, known as summer session bill, and has passed same notwithstanding the veto by a vote of 128 to 37.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House insists upon its non-concurrence in the Senate amendments to the special franchise tax bill, and appoints the following Conference Committee: Messrs. Candler, Aiken, Reid.

The following House bill was taken up with Senate amendments, in which the House refuses to concur:

By Mr. Reid—

A bill to levy a special tax on franchises.

The Senate refuses to recede from its amendments, and asks for a Conference Committee.

The committee on part of Senate are Senators Davis, Perry and Skelton.

The following Senate bill was taken up with House amendments, and the same were concurred in:

By Mr. Tisinger—

A bill to amend section 691 of volume 3 of the Code.

The House amendments to the following Senate bill was concurred in:

By Mr. Worsham—

A bill to incorporate the Forsyth school district.

The following House bills were read third time to be put upon their passage:

By Mr. Brinson—

A bill to regulate the sale of syrup in this State.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 31, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Slaton, Houston and Blackburn—

A bill to amend the charter of the town of Oakland.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed as amended: Section 3. It is further enacted that the provisions of this Act shall become effective only after the proposition to increase the tax rate of said corporation, as indicated, has been submitted by the city council of Oakland to the qualified voters of said municipality with reasonable notice of election, and after said proposition to remove the tax rate has received the affirmative vote of two-thirds of said qualified voters who vote at such election, the vote of said two-thirds of the qualified voters cast in favor of the provisions of this Act shall make this Act effective. Amend further by changing repealing section.

By Mr. Stanford—

A bill to establish a dispensary in Hamilton, Harris county.

This bill was tabled.

By Mr. Akin—

A bill to repeal the Act creating the office of special attorney for the W. & A. R. R.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Hixon—

A bill to amend section 45 of the Act incorporating the city of Americus.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Booth and Lawrence—

A bill to repeal the Act creating the board of county commissioners of Walton county.

The report of the committee was adverse to the passage of the bill.

The report was agreed to and bill was lost.

By Mr. Evans—

A bill to amend section 982 of the Code, so as to add Sandersville to the list of State depositories.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Knight—

A bill to establish the city court of Tifton.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Steed—

A bill to protect Confederate soldiers in this State.

On motion, this bill was tabled.

By Mr. Payton—

A bill to abolish the city court of Clarkesville, in Habersham county.

The report of the committee was adverse to the passage of the bill, and on agreeing to this report the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Christie,	Hightower,	Snead,
Clark,	Hudson,	Sweat,
Clements,	Merritt,	Tisinger,
Crumbley,	Middlebrooks,	Van Buren,
Duncan of 36th,	Park,	Worsham,

Those voting in the negative were Messrs.—

Allen,	Lee,	Perry,
Atkinson,	Ledford,	Skelton,
Dodd,	Mathews,	Smith,
Davis,	McClure,	Stevens,
Golden,	McLean,	Symons,
Harrell,	McMichael,	Taylor,
Jordan,	Moore,	

Those not voting were Messrs.—

Comas,	Lewis,	Rountree,
Duncan of 10th,	Reid,	Turner,
Hopkins,	Roberts,	Mr. President.

Ayes 15, nays 20.

The report of the committee was disagreed to.

Upon the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen,	Hudson,	Moore,
Atkinson,	Jordan,	Perry,
Clark,	Lee,	Skelton,
Clements,	Ledford,	Smith,
Dodd,	Mathews,	Stevens,
Duncan of 10th,	McClure,	Symons,
Duncan of 36th,	McLean,	Taylor,
Golden,	McMichael,	Tisinger,
Harrell,		

Those voting in the negative were Messrs.—

Christie,	Park,	Sweat,
Hightower,	Reid,	Van Buren,
Merritt,	Snead,	Worsham,

Those not voting were Messrs.—

Comas,	Lewis,	Rountree,
Crumbley,	Middlebrooks,	Turner,
Davis,	Roberts,	Mr. President,
Hopkins,		

Ayes 26, nays 9.

The bill having received the requisite constitutional majority was passed.

By Mr. Mulherin—

A bill to amend the charter of the city of Augusta.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Hardeman—

A bill to incorporate the city of Russell, in Jackson county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

By Mr. Conner—

A bill to protect fish in the streams of Bartow county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Howard—

A bill to establish a dispensary for the sale of whisky in Milledgeville.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Wooten—

A bill to incorporate the city of Vidalia.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Maples—

A bill to repeal the Act amending the charter of the town of Camilla, in the county of Mitchell.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Singletary—

A bill to incorporate the Hopeful school district, in Thomas county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate resolution was read and adopted:

By Mr. Perry—

A resolution appointing a committee to investigate the feasibility of allowing the Secretary of State and judges of the superior court.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following House resolution, to wit:

A resolution to investigate offices of all State officials, and for other purposes.

Mr. Turner, chairman of the Conference Committee on the part of the Senate, having under consideration House bill No. 150, submitted the following report:

*Mr. President:*

The Conference Committee appointed on the part of the Senate and of the House, having under consideration House bill No. 150, report that they have agreed to the amendment offered by the Senate.

The committee proposes to amend as follows: By striking out the word "January," in the second line of the 10th section of said bill, and insert therein the word "February." Also, amend further by adding at the end of said section 10 the following words: "The last registration list made for the last general election shall be taken as a test as to who shall be entitled to vote at said election.

Respectfully submitted.

TURNER, Chairman.

This report was adopted.

Mr. Jordan, chairman of Committee on Agriculture, submits the following report:

*Mr. President:*

The Committee on Agriculture has had under consideration the following bill of the Senate, which it instructs

me to report back with recommendation that same do pass by substitute:

A bill to be entitled an Act to prohibit the sale of cotton futures in this State, and for other purposes.

Respectfully submitted.

C. H. JORDAN, Chairman.

House bill No. 471 was tabled.

The following House bills were read the third time to be put upon their passage:

By Mr. McCurry—

A bill to amend the Act creating the board of county commissioners of Hart county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Jones—

A bill to authorize the town council of Jasper to issue bonds.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Shackelford—

A bill to cede to the United States certain lands in the city of Athens.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Hayes—

A bill to amend the Act establishing a system of public schools in Marshallville.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. McCurry—

A bill to provide for the construction of dams across the Savannah river.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Cann, Stovall and Hardin—

A bill to fix the time for the election of all officers in incorporated towns of 50,000 inhabitants.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

The following is the report of the Penitentiary Committee:

*Mr. President:*

Your General Committee on Penitentiary, as provided by law, and through its various subcommittees, have visited the various felony convict camps in the State and made a careful inspection of the same.

We find, without an exception, the camps in good sanitary condition and the convicts well clothed and fed.

As far as the committee could determine by careful inspection, the wise provisions of the laws as to the management, control and employment of the convicts, are fully complied with.

We find, however, that there are natural difficulties, in the matter of underground mining, in preserving conditions always favorable to the health and life of convicts employed in the mines. To meet these difficult conditions, your committee thinks that the services of an expert should always be available to the prison commission.

In view of the manifest necessity that exists therefor, looking to the preservation of health and life in the mines where many of the convicts are now confined, this committee heartily endorse the suggestion made by the prison commission of this State, in their recent report made to the General Assembly, as follows: That the office of inspector of mines be created, said inspector to be an expert in the matter of sanitation in connection with underground min-

ing; and that provision be made by law for the payment of such inspector, out of the net hire of convicts.

Respectfully submitted.

GORDON LEE,  
Chairman General Penitentiary Committee.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House recedes from its non-concurrence to Senate amendment and adopts the report of the Conference Committee, and amendment of said committee on a bill to create a board of commissioners of roads and revenues for the county of DeKalb.

By unanimous consent House bill No. 389, which has just passed the Senate, to abolish the city court of Clarkesville, be returned to the Senate to make some corrections.

The following resolution was adopted:

By Mr. Middlebrooks—

A resolution fixing 6 o'clock p.m., December 12, 1902, as the hour of adjournment.

At 12:30 the Senate went into executive session.

The following bill was taken up, which the Senate passed this morning for the purposes of amending. The bill is to abolish the city court of Clarkesville.

The bill was reconsidered and recommitted to the General Judiciary Committee.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following House resolutions, to wit:

A resolution for completion of unfinished business of this session.

Also, a resolution that a statement of the unfinished business of the present session be sent members of the General Assembly.

The following resolutions were read and adopted:

By Mr. Welborn—

A resolution directing the Clerk of the House and Secretary of Senate to send a list of the unfinished business of the session.

By Mr. Wellborn—

A resolution for the completion of the unfinished business of the present session.

The following Senate bill was read third time and put upon its passage:

By Mr. Golden—

A bill to prohibit the sale of cotton futures in this State.

This bill was tabled and made special order for second day of next session.

REPORT OF CONFERENCE COMMITTEE ON  
APPROPRIATION BILL.

That the Senate recedes from all its amendment relative to the Georgia State Sanitarium, regarding appropriations to the Sanitarium and its officers, provided the House agrees to amend section 4, line 20, by striking out "three hundred and ten," and inserting in lieu thereof "three hundred and twenty-five thousand dollars."

That the committee recommend that the House amendment be withdrawn and that the Senate recedes from its amendment (Senate amendment No. 3.)

That in regard to Senate amendment No. 4, and amendment No. 11, and amendment No. 18, that the Conference Committee fails to agree and asks your further consideration.

That in regard to Senate amendment No. 5, the Conference Committee recommends that the House recedes from its non-concurrence.

Senate amendment No. 6:

The Conference Committee recommends that the Senate recedes from its amendment.

Senate amendment No. 8:

The Conference Committee recommend that the Senate recedes from its amendment relative to the Soldiers' Home.

The Conference Committee recommends that the Senate recede from its amendment No. 15, relative to the State Geologist.

Senate amendment No. 16:

The Conference Committee recommend that the Senate recedes.

Senate amendment No. 17:

The Conference Committee asks that the request of the Senate to the House be concurred in relative to Colonial, Revolutionary and Confederate Records.

Senate amendment No. 19:

The Conference Committee recommend that the House recede from its non-concurrence.

HOPKINS, DAVIS AND COMAS, on part of Senate.

DAVIS, HALL AND STOVALL, on part of the House.

Conference Committee.

This report was adopted.

Senators Middlebrooks, Hudson and Harrell, were appointed as a second Conference Committee on appropriation bill.

The following House resolution was read third time to be put upon its passage:

By Mr. McLain—

A resolution for the relief of the W & A. R. R.

Report of the committee was agreed to.

Upon the passage of the resolution the ayes were 25, nays 0.

The resolution having received the requisite constitutional majority was passed as amended: Provided, however, that the provisions of this resolution shall not become

operative until said provisions have received the approval of the mayor and two-thirds of the city council of said municipality.

On motion, the Senate adjourned until 3:30 o'clock.

The Senate was called to order at 3:30 o'clock by the President.

On motion, the roll-call was dispensed with.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has concurred in the following Senate amendments to the House bill, known as the general tax bill, Nos. 6 and 13; has non-concurred in Nos. 1, 2, 3, 4, 7, 8, 9, 10, 11 and 12, and has concurred in amendment No. 5 as amended.

The Senate refuses to concur in the House amendment to amendment No. 5 of the general tax act.

Conference Committee on part of Senate are Senators Smith, Van Buren and Lee.

The following resolution was taken up and put on its passage:

By Mr. Hall—

A resolution to pay the stenographer for the committee to investigate the W & A. R. R.

Report of the committee was agreed to.

Upon the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen,	Hopkins,	Park,
Atkinson,	Hudson,	Roberts,
Christie,	Lee,	Snead,
Comas,	Ledford,	Stevens,
Dodd,	Mathews,	Symons,
Davis,	McLean,	Tisinger,
Duncan of 36th,	McMichael,	Van Buren,
Harrell,	Merritt,	Worsham,
Hightower,	Moore,	

Those not voting were Messrs.—

Clark,	Lewis,	Skelton,
Clements,	McClure,	Smith,
Crumbley,	Middlebrooks,	Sweat,
Duncan of 10th,	Perry,	Taylor,
Golden,	Reid,	Turner,
Jordan,	Rountree,	Mr. President.

Ayes 26, nays 0.

The resolution having received the requisite constitutional majority was passed.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House declines to recede from its attitude on the bill known as the general tax bill, and appoints the following Conference Committee: Messrs. Reid, Mulherin and Phillips of Jefferson.

The following House resolution was read first time:

By Mr. Hall—

A resolution to require the joint Finance Committee to investigate the different departments of the State during recess.

Referred to the Committee on Finance.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has agreed to the following items on the report of the Conference Committee on the appropriation bill: Nos. 1, 2, 3, 5, 6, 7, 8, 9, 10, and disagreed to item No. 4, and appoints following Conference Committee:

Messrs. Steed, Flynt, Hawes.

The following message was received from his Excellency, the Governor, through his Secretary, Mr. Irvin:

*Mr. President:*

I am directed by his Excellency, the Governor, to deliver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in executive session.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following Senate bills, to wit:

A bill to authorize extension of street and suburban railroads to extend road into adjoining States.

A bill to authorize street or suburban railroads in this State to increase their capital stock.

The following Senate bill was passed by substitute, having received requisite constitutional majority:

A bill to amend sections 1840 and 1841 of the Code of 1895.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following Senate bill:

A bill to amend section 2117, in regard to corporate powers of insurance companies.

The following Senate bill, not having received the requisite constitutional majority, was lost:

A bill to inquire into the present city and county adoptions of text-books in this State.

The following House bill was taken from the table and put upon its passage:

By Mr. Stanford—

A bill to establish a dispensary in the town of Hamilton, Harris county.

Report of the committee was agreed to and the bill was lost. Ayes 23, nays 2.

The following report was submitted by the Conference Committee on part of Senate on the tax act:

*Mr. President:*

Your Conference Committee appointed to confer with the House committee on House bill No. 272, beg leave to report that they have recommended that the House agree to all the Senate amendments, except we further recommend the adoption of the following amendments to section 10:

Amend Senate amendment numbered 8, and make section 10 of the bill.

1. By striking out the words "sum of money," in the 13th line, and substituting therefor the words "other annual charge."

2. By inserting after the words "consideration for," in the 13th line, the words "the exercise of."

3. By inserting between the word "corporation" and the words "all amounts," in the 15th line, the word "from."

4. By inserting after the word "village," in 18th line, the words "for the exercise of such franchise."

5. By striking out the word "from," in line 19, where it occurs, between the words "shall be deducted," and the word "portion."

Signed.

DAVIS, PERRY AND SKELTON,  
Committee on part of Senate.

The report was adopted.

Mr. Harrell, chairman on part of Senate in Conference Committee with House committee on the appropriation bill, submits the following report:

*Mr. President:*

We recommend that the House recede from its disagreement to the Senate amendment No. 11. Also, that the House recede from its disagreement with Senate amendment No. 4, and that the Senate recede from its amendment appropriating \$2,500 to the college at Thomasville; and that the House recede from its disagreement to the Senate amendment No. 5, relative to providing for the assistant messenger for the Senate, and also recommend that compensation be provided for three gallery-keepers and five assistant doorkeepers for the House for the years 1903 and 1904.

Respectfully submitted.

J. D. HARRELL, Committee on part of Senate.

W. E. STEED, Chairman House Committee.

Report was adopted.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following Senate bills:

A bill to reduce compensation of treasurer of the county of Wilkinson.

A bill to add the city of Pelham to list of State depositories.

A bill to incorporate the town of Merrillville, in Thomas county.

A bill to establish a dispensary in the city of LaGrange.

The House has passed by the requisite constitutional majority the following Senate bill as amended:

A bill to amend the charter of the city of Thomasville.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The following House resolution not having received the requisite constitutional majority was lost:

A resolution to investigate the practicability of granting city charters or amendments by Secretary of State or judges of superior courts.

The following House bill not having received the requisite constitutional majority was lost:

A bill to make penal the adulteration of turpentine offered for sale.

The following Senate bill was taken up, which had been passed by the House by substitute:

By Mr. McMichael—

A bill to amend sections 1840 and 1841 of the Civil Code of 1895.

The substitute was adopted.

The following Senate bill was taken up with House amendment, and the amendment was concurred in:

By Mr. Hopkins—

A bill to amend the charter of the city of Thomasville.  
The amendment is as follows:

Amend by striking out the word "clerk" wherever it occurs in the caption.

Amend section 1 by striking the word "clerk."

On motion, the Senate adjourned until 8 o'clock to night.

The Senate met pursuant to adjournment at 8 o'clock, and was called to order by the President.

On motion, the roll-call was dispensed with.

*Mr. President:*

Your committee of conference on part of the Senate, in connection with a similar committee on the part of the House, have had under consideration the matters of difference between the Senate and House on House bill No. 179, known as the General Tax Act, and beg to submit the following report:

That the House committee recommends that the House recede from its disagreement to Senate amendments as follows, to wit:

1. Paragraph A. In reference to franchise clause, as franchise bill is passed.

4. In reference to liquor dealers.

7. In reference to coco-cola and like beverages.

10. In reference to franchise tax on telephone and telegraph companies.

12. In reference to cash registers, etc.

And we recommend, in pursuance to such agreements,

that the Senate recede from its amendments as follows, to wit:

2. In reference to industrial life insurance.
3. In reference to circus companies.
8. In reference to baseball parks.
9. In reference to ticket brokers.
11. In reference to automobile manufacturers.

We further report that the Senate Committee refused to concur in amendment offered by House to amendment No. 5, and House Committee refused to agree to said amendment 5, and as a compromise the joint committee recommend the adoption by the Senate and House of the following as a substitute for said amendment No. 5, to wit:

By inserting after the word "sold," in second line of page 10, section 2, paragraph 16, "upon each social or fraternal club in which spirituous, malt or intoxicating liquors are sold or dispensed—two hundred dollars for each place of business—and upon each person, firm or corporation owning or operating a steamboat or boats, and upon each company or corporation owning or operating buffet, dining or palace cars in which spirituous, malt or intoxicating liquors are sold or dispensed—two hundred dollars; provided, that the payment of said tax shall not be held to authorize the sale of such liquors in any county or municipality in which said sale is prohibited by law."

Respectfully submitted.

J. RICE SMITH,  
J. R. VAN BUREN,  
GORDEN LEE,

Committee on Part of the Senate.

The following is the report of the committee appointed to visit the State University:

*Mr. President:*

The undersigned, appointed as a sub-committee from the committee on the University of Georgia and its branches, to visit the University proper and the Normal School at Athens, beg leave to report with regard to the former institution as follows:

Within the limited time at our disposal, your committee did not attempt to examine with any detail the academic work of the several schools or departments of the University, but devoted most of our time to the examination of the new buildings erected with the money appropriated at the last session of the General Assembly and to inquire into the equipment and work of the School of Agriculture.

Of the new buildings, one is a dormitory, splendidly constructed, affording accommodations for eighty young men.

The fact that it is full of occupants, without emptying the old dormitory, shows the necessity for such a building.

The other new building is a dining hall, which was named by the trustees Denmark Hall, and in this building one hundred and fifty young men obtain board on the co-operative plan at \$8.00 per month. Already there are more applications for seats in this dining hall than can possibly be accommodated with the present equipment. It is managed by a member of the faculty, without compensation, and we will say managed splendidly.

We found that the building formerly known as Philosophical Hall has been thoroughly renovated and set apart as Agricultural Hall, and for the exclusive use of this department.

The lower floor contains a modern and complete equip-

ment for dairying and in this school in January, February and March of the present year we were informed that twenty young men were taught dairying, theoretically and practically. The upper floor contains a lecture room, well equipped with modern seats, desks and charts for the purpose of teaching and illustrating lessons in agriculture.

This department is in charge of Prof. J. M. Johnson, who seems to be thoroughly in earnest and well equipped for his profession in every way.

By enquiry we learned that he was born and reared on a farm, and is now living upon and conducting the work on the University farm.

We believe that the instruction given is both theoretical and practical. The department has also at its disposal seven acres of land situated on the University grounds and on this they conduct experiments and illustrate plant growth on the intensive system of farming and in our opinion a great deal of good can and will be accomplished on this line.

Respectfully submitted.

ALEX ATKINSON, Chairman.

E. H. McMICHAEL,

W G. PARK.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House refuses to recede from its position on Senate amendment No. 11, to appropriation bill, and appoints following conference committee:

Messrs. Grice, Mitchell, West.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has concurred in Senate amendment to the following House bill, to wit:

The House refuses to concur in Senate amendment to the following House resolution:

A resolution for relief W. & A. R. R.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House concurs in Senate amendments to the following House bills:

A bill to amend charter of Oakland City.

A bill to incorporate the city of Russell, in Jackson county.

The House has passed, by the requisite constitutional majority, the following House bill:

A bill to establish city court of Dublin.

The conference committee on part of the Senate on the amendment known as the amendment to the public property fund in the appropriation bill are Senators Turner, Van Buren and Christie.

The Senate recesses from its amendment to the following House resolution:

By Mr. McLain—

A resolution for the relief of the W & A. R. R.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has concurred in the following Senate resolution:

A resolution to appoint Senators and Representatives to visit the College of Agriculture and Mechanical Arts at Athens.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House agrees to all Senate amendments to franchise tax bill except amendment No. 10, and appoints following conference committee:

Messrs. George, Hall, Slaton.

The conference committee on the part of the Senate to confer with the House committee on Senate amendment No 10, to the franchise bill are:

Senators Dodd, Smith and McMichael.

Senator Turner, chairman of the conference committee on part of the Senate to confer with a similar committee from the House on Senate amendment to the appropriation bill, No. 11, submits the following report:

*Mr. President:*

Your committee met with the conference committee of the House and after a conference with committee of House,

your committee failed to agree and recommend the appointment of a new conference committee.

Respectfully submitted.

TURNER, Chairman.

The following is the second committee appointed to confer with committee from the House on Senate amendment No. 11, to the appropriation bill.

Senators Jordan, Symons and Lee.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has agreed to the report of the conference committee on the general tax bill, except as to amendments Nos. 4 and 7, and appoints the following committee:

Messrs. Overstreet, Howard of Baldwin, and Shackelford.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House refuses to recede from its position on the appropriation bill and appoints the following new conference committee:

Messrs. Calvin, Bower, Felder.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed, by the requisite constitutional majority, the following Senate bill:

A bill to incorporate the town of Atwater, in Upson county.

The following message was received from the House through Mr. Boifueillet, the Clerk thereof:

*Mr. President:*

The House refuses to recede from its position on the franchise tax bill, and appoints the following conference committee:

Messrs. Can, Knowles, Wilson.

Mr. Dodd, chairman of the Conference Committee to confer with a similar committee from the House on Senate amendment to section 10 to the franchise bill, reported that they were unable to agree, and asked that a new Conference Committee be appointed.

Mr. Hopkins moved that the Senate recede from its amendment, known as amendment to section 10.

On this motion the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen,	Harrell,	McMichael,
Christie,	Hightower,	Merritt,
Clements,	Hopkins,	Park,
Comas,	Jordan,	Perry,
Davis,	Ledford,	Snead,
Duncan of 36th,	McClure,	Stevens,
Golden,	McLean,	

Those voting in the negative were Messrs.—

Atkinson,	Clark,	Dodd,
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Hudson,	Skelton,	Tisinger,
Lee,	Smith,	Turner,
Mathews,	Symons,	Van Buren,
Middlebrooks,	Taylor,	Worsham,
Reid,		

Those not voting were Messrs.—

Crumbley,	Moore,	Sweat,
Duncan of 10th,	Roberts,	Mr. President.
Lewis,	Rountree,	

Ayes 20, nays 16.

The motion to recede was adopted.

The following message was received from the House through Mr. Boifueillet, the Clerk thereof:

*Mr. President:*

The House refuses to recede from its position on the appropriation bill, and appoints following Conference Committee: Messrs. Hardeman, Baldwin, Shannon.

The House also refuses to recede from its position on the general tax bill and appoints following Conference Committee: Messrs. Hayes, Hixon of Sumter, Blackburn.

*Mr. President:*

Your committee from the Senate appointed to confer with a similar committee from House in regard to amendments Nos. 4 and 7, pertaining to tax on liquor dealers and coca-cola, and other like syrups, beg leave to report that we have been unable to agree, and recommend that the Senate insist upon its amendments. We further recommend that a new Conference Committee be appointed.

W G. PARK, Chairman for Senate Committee.

*Mr. President:*

Your Conference Committee appointed to meet a similar committee appointed from the House of Representatives to consider section 11 of the general appropriation act, relating to use of the public property fund, beg leave to make the following report:

After full conference the committees from the House and Senate fail to agree, and this committee asks that it be discharged.

HARVIE JORDAN, Chairman.  
W. F. SYMONS,  
GORDON LEE.

The committee from the Senate to confer with House committee on appropriation bill are Senators Perry, Snead and Atkinson.

The committee from the Senate on the tax bill are Senators Hightower, Hudson and Harrell.

Mr. Hudson, chairman of the committee on the part of the Senate to confer with a similar committee from the House on the Senate amendment to the tax act, relative to coco-cola, reports:

That the House recede from the whisky tax and that the Senate amend its amendment relative to coco-cola, and other syrups, by making the tax \$400.00.

Respectfully submitted.

T. G. HUDSON, Chairman Senate Committee.

R. B. BLACKBURN, Chairman House Committee.

The report was agreed to.

The following message was received from the House through Mr. Boifueillet, the Clerk thereof:

*Mr. President:*

The House agrees to the report of the Conference Committee on the bill of the House, known as the general tax bill.

The following message was received from the House through Mr. Boifueillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite constitutional majority the following Senate bill:

A bill to amend section 752 of the Penal Code.

Resolution extending the thanks of the Senate to the following officers were adopted: The President, President pro tem., Secretary and Assistants, Doorkeeper and Messenger and Postmistress.

The following resolution was read and adopted:

By Mr. Hopkins--

A resolution providing that all unfinished business of the Senate be carried over until next session.

The following message was received from the House through Mr. Boifueillet, the Clerk thereof:

*Mr. President:*

The House refuses to recede from its position on the appropriation bill, and appoints the following Conference Committee: Messrs. Rainey, McLain, Hicks.

The following message was received from the House through Mr. Boifueillet, the Clerk thereof:

*Mr. President:*

The House recedes from its position on the House bill, known as the appropriation bill.

The following Senate bill was taken up with House amendments, and the amendments were concurred in:

By Mr. Comas—

A bill to amend section 752 of the Penal Code.

The amendments are by substituting for the word "county" the word "judge," and by striking the words in the 12th line "and," before the word "judge." Amend further by striking the words in 29th and 30th lines as follows: "Or city court judge," and substituting the following: "County judge or city court judge."

The following resolution was read and adopted:

By Mr. Tisinger—

A resolution adjourning the General Assembly *sine die*.

This resolution was withdrawn.

The following message was received from the House through Mr. Boifueillet, the Clerk thereof:

*Mr. President:*

The House has adopted the following House resolution, in which the concurrence of the Senate is asked, to wit:

A resolution providing for the payment of certain pages, and for other purposes.

The following message was received from the House through Mr. Boifueillet, the Clerk thereof:

*Mr. President:*

The House has concurred in the Senate amendments to the following House bills, to wit:

A bill to amend section 642, volume 3 of the Code of 1895.

A bill to amend an Act to provide for inspectors of roads and bridges.

A bill to establish the city court of Waynesboro, in and for the county of Burke.

A bill to provide for the removal of obstructions of all kinds from the streams of Hall county.

A bill to amend an Act to incorporate the town of Bowdon.

The House has also concurred in the Senate amendments to the following resolution of the House, to wit:

A resolution authorizing the Governor to borrow money to supply casual deficiencies.

Mr. Symons, chairman of the Committee on Enrollment, submitted the following report:

*Mr. President:*

The Committee on Enrollment have examined and found correctly enrolled and ready for the signature of the President of the Senate and Speaker of the House, the following Acts, to wit:

An Act to incorporate the town of Atwater, in Upson county.

An Act to amend an Act to establish the city court of Douglas.

An Act to authorize the Governor to require the Attorney-General to perform the duties as special attorney of W & A. R. R.

An Act to amend section 982 of the Code, by adding the city of Pelham to the list of State depositories.

An Act to amend the charter of the city of Thomasville.

An Act to amend the Act establishing the dispensary in LaGrange.

An Act to authorize street or suburban railroads to extend their lines into other States.

An Act to fix and prescribe the boundaries of land adjacent to or covered by, or bordering on the tide-waters of this State.

An Act to amend an Act reviving the office of State Geologist.

An Act to amend an Act entitled an Act to amend section 752 of the Penal Code.

An Act to amend section 4315 of the Code of 1895.

An Act to change the time of holding the superior courts of Union county.

An Act to increase the number of terms of the superior court of Richmond county.

An Act to amend section 691 of volume 3 of the Code.

An Act to amend an Act incorporating the town of Midville.

An Act to repeal an Act authorizing the Governor to appoint an agent to look after the property of the State along the line of the W & A. R. R.

An Act to amend an Act incorporating the town of Newton, in Baker county.

An Act to authorize street or suburban railroad companies to increase their capital stock.

An Act to incorporate the town of Merrillville, in Thomas county.

An Act to repeal an Act entitled an Act to reduce the compensation of the treasurer of Wilkinson county.

An Act to alter and amend section 2017 of the Code of 1895.

An Act to provide for the payment of costs and fees of special bailiffs of the superior and city courts.

An Act to incorporate the Forsyth school district.

An Act to reorganize the military forces of this State.

An Act to incorporate the town of Chester, in Dodge county.

An Act to amend sections 1840 and 1841 of the Civil Code of 1895.

An Act to establish a system of public schools for the city of Fort Gaines.

An Act to amend section 982 by adding the city of Swainesboro to the list of State depositories.

Also, the following resolutions:

A resolution to authorize the Brunby Association to erect a monument on the Capitol grounds.

A resolution requesting our representatives in Congress to have the United States reimburse this State certain amount paid during the Indian war.

A resolution to appoint a committee to visit the College of Agriculture and Mechanic Arts at Athens.

Respectfully submitted.

W F SYMONS, Chairman.

Mr. Symons, chairman of the Committee on Enrollment, submitted the following report:

*Mr. President:*

The following Acts have been signed by the President of the Senate and Speaker of the House, and are ready for the signature of the Governor, to wit:

An Act to incorporate the town of Atwater, in Upson county.

An Act to amend the Act establishing the city court of Douglas.

An Act to authorize the Governor to require the Attorney-General to perform the duties of special attorney for W & A. R. R.

An Act to amend section 982 of the Code, by adding the city of Pelham to the list of State depositories.

An Act to amend the charter of the city of Thomasville.

An Act to amend an Act establishing the dispensary in LaGrange.

An Act to authorize street and suburban railroads to extend their lines into other States.

An Act to fix and prescribe the boundaries of land adjacent to or covered by, or bordering on, the tide-waters of this State.

An Act to amend an Act reviving the office of State Geologist.

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An Act to increase the number of terms of the superior court of Richmond county.

An Act to amend section 691 of volume 3 of the Code.

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An Act to repeal an Act authorizing the Governor to appoint an agent to look after the property of the State along the W & A. R. R.

An Act to amend the charter of the town of Newton, in Baker county.

An Act to authorize street and suburban railroad companies to increase their capital stock.

An Act to incorporate the town of Merrillville, in Thomas county.

An Act to repeal an Act to reduce the compensation of the treasurer of Wilkinson county.

An Act to alter and amend section 2017 of the Code of 1895.

An Act to provide for the payment of costs and fees of special bailiffs of the superior and city courts.

An Act to incorporate the Forsyth school district.

An Act to reorganize the military forces of this State.

An Act to incorporate the town of Chester, in Dodge county.

An Act to amend sections 1840 and 1841 of the Code of 1895.

An Act to establish a system of public schools in Fort Gaines.

An Act to amend section 982 of the Code, by adding the city of Swainesboro to the list of State depositories.

Also, the following resolutions:

A resolution to authorize the Brumby Memorial Association to erect a monument on the Capitol grounds.

A resolution requesting our representatives in Congress to have the United States reimburse this State for certain Indian war claims.

A resolution appointing a committee to visit the College of Agriculture and Mechanic Arts at Athens.

Respectfully submitted.

W F. SYMONS, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

I am directed by the House to notify this branch of the General Assembly that the House has completed the business of the present session, and is now read to adjourn *sine die*.

On motion, the Senate adjourned *sine die*.



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